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**Legislative Assembly
of Ontario**
Second Session, 36th Parliament

**Assemblée législative
de l'Ontario**
Deuxième session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 8 December 1998

Mardi 8 décembre 1998



Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 8 December 1998

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 8 décembre 1998

*The House met at 1331.
Prayers.*

MEMBERS' STATEMENTS

AFFORDABLE HOUSING

Mr Mario Sergio (Yorkview): I'm addressing my remarks again to the Premier and the Minister of Housing. We have a long and growing list of homeless people in Toronto. We have a long and growing list of 100,000 people waiting to get into affordable housing; one third of those are children.

I'm calling on the Minister of Housing and the Premier to do something about this. It's about time that this government, this Premier and this minister take this matter seriously and deal with the crisis they have created.

The tenant protection legislation which they introduced does absolutely nothing to provide any new affordable housing units for needy people; it does nothing to promote even one new affordable unit. It does help people who want to convert good rental units to condominiums.

I'm glad the minister is in the House today. The city of Toronto has on the books some 1,200 units ready to be converted from rental to condominium. This is a total shame. It does absolutely nothing. I'm calling on the Premier and the minister to do something about this big problem, the crisis they have created. It does nothing to bring about any more units for our most needy people. I'm calling on the government to act and take serious action on this grave matter.

POVERTY

Mr Alex Cullen (Ottawa West): The Harris government crows much about the decline in welfare rolls in Ontario, but the reality is that poverty is getting worse for families in Ontario, and this government's policies are not helping families in need.

This week two reports dealing with poverty in our communities were tabled, showing that the plight of poor children in particular is worsening. The National Council on Welfare has condemned the government's child tax credit as discriminating against families on welfare, who receive no benefit from the scheme. The Canadian Council on Social Development says in its progress report that the well-being of children is declining in more than half of its nine indicators, from health to economic security. No

wonder the United Nations committee on economic, social and cultural rights was so scathing in its report on poverty in Canada.

What's worse is this government's policies towards families in need — it wants to break them up. I have a case in my constituency of Ottawa West where a 50-year-old woman with a 10-year-old daughter with special needs, a single parent on assistance, moved in with her 80-year-old mother because, according to her doctor, she needed care. Yet the government's new rules would cut her benefits in half, effective this month, to \$446 a month, despite the fact that her rent is \$500 and her child needs medication. I say to the Minister of Community and Social Services, you are breaking up this family and costing taxpayers more.

I have another case in Ottawa West where a constituent on assistance has an open custody arrangement with his ex regarding his three children, ages 11, 9 and 8. He lives in a two-bedroom apartment where he pays \$600 in rent. Your new rules, effective this month, cut his social assistance to \$551. He will no longer be able to handle his parental obligations.

DIABETES FUNDRAISING EVENT

Mrs Barbara Fisher (Bruce): On October 15, I introduced a very special guest to members of this Legislature. Ayden Byle of Inverhuron, Ontario, was more than halfway through his run across Canada to raise money for diabetes research. I am pleased and proud to announce that Ayden completed his journey in Halifax last Friday, December 4.

This was an outstanding achievement. From Vancouver on June 1 to Halifax on December 4, Ayden ran a total of 6,515 kilometres. His journey was not without difficulties. Ayden suffered from heat and foot problems throughout the run, but he would not give up.

As the first diabetic to run across Canada, Ayden wanted to impress upon all Canadians the seriousness of this disease and the need to find a cure. In this he was successful. Schoolchildren, diabetics, community leaders, sports teams and ordinary Canadians all came out to encourage and support Ayden during his journey.

Upon his arrival in Halifax, Ayden and his team had raised nearly \$103,000. While somewhat discouraged by the lack of funds raised to date, Ayden intends to undertake an aggressive fundraising campaign over the next four years. By then, Ayden hopes there will be a cure.

I also wish to recognize Ayden's parents, Marshall and Wanda, for the love, support and encouragement they have provided to Ayden throughout his journey. He could not have completed it without the support of his family, friends and sponsors.

I congratulate Ayden and his team on this remarkable accomplishment. Ayden, welcome back to Ontario. We are all extremely proud of you.

ACCESSIBILITY FOR THE DISABLED

Mr John C. Cleary (Cornwall): This government's ignorance of the needs of the disabled has been further exposed. I have received a letter from Huguette Burroughs of Cornwall, who as a reporter with *le journal de Cornwall* was invited to attend a major event hosted by the Minister of Health recently at a major hotel. Unfortunately, Ms Burroughs was unable to attend because the location which the minister chose for the event was not accessible to the disabled.

According to Ms Burroughs, Minister Witmer's function was held on the second floor of the hotel and there is no elevator to get there. Ms Burroughs understands that hotels and restaurants may not always want to comply in becoming fully accessible. However, she finds it incredible that the Minister of Health would commit such an indiscretion in staging an event of this nature.

This government's half-baked disabilities legislation is insulting enough. The health minister and her colleagues must seriously consider Ms Burroughs's suggestion that this faulty legislation should be revised. It should state clearly that when such functions are held, these should be held in fully accessible locations.

How can the Harris government say they are committed to eliminating barriers for disabled persons in Ontario when they won't even accommodate the most basic accessibility requirements for their own events?

1340

NORTHERN HEALTH SERVICES

Mr Blain K. Morin (Nickel Belt): I rise today to remind the government of the ongoing damage caused by the Mike Harris government's cutbacks to health care. Le centre de santé communautaire de Sudbury is one of the many CHCs that is underfunded. Dr Meratto left in July 1996 and the Sudbury Community Health Centre started offering part-time services in September 1996. Thanks to my predecessor, Floyd Laughren, and the member for Sudbury East, Ms Martel, the CHC was able to secure some permanent resources in October 1997 for both Rayside Balfour and Valley-East, although no funding was received for rent, phone, postage, supplies, cleaning, computers or other essentials.

The demand for services in both places is very high in an underserved area for physicians. There are two physicians interested in the positions in those communities but not in the fee-for-services model. They want to work in a CHC.

The Sudbury CHC wants to offer more health promotion and prevention programs, but the resources are just not there. As it is, the physician is often left alone as the nurse has to attend to part of the adult day program.

The CHC services a large population in my riding, with various health care needs, and many of them are without family physicians.

This government must reinvest in health care dollars, particularly in northern Ontario.

SAFE HAVEN

Mr Doug Galt (Northumberland): In rising, I extend my personal appreciation to the Cobourg Chamber of Commerce and the Cobourg Police Service for working with me to launch a new program entitled Safe Haven in the town of Cobourg.

As a block parent type of program for retail districts, Safe Haven provides a network of easily recognizable businesses where citizens of all ages can find help in times of distress. As the first of its kind in Ontario, Safe Haven is based on businesses working together to look after their community's interests and to alert authorities to the potential of crime or an emergency situation.

We realize that most businesses and retail store operators have always been willing to help people in need of immediate assistance. Unfortunately, some people, such as the young and the elderly, are reluctant to enter locations where they are not known and ask for help.

The participating businesses will be carefully screened by police and will be provided with a telephone list, training and protocols which will prepare them to deal effectively with emergencies. Safe Haven demonstrates how communities can work together to promote personal safety.

Again, I compliment those who are involved in the Safe Haven program: the chamber of commerce, the Cobourg police, the town of Cobourg, Northumberland Services for Women and, most important, the retailers who have been willing to take on this program as a pilot project.

I would encourage other communities that are interested in community and personal safety to follow Cobourg's example of creating a Safe Haven —

The Speaker: Thank you.

STRIP SEARCHES

Mr Bruce Crozier (Essex South): Last Friday an incident took place in my riding of Essex South at Kingsville District High School. A number of young boys were strip-searched in an attempt to find money that was stolen.

The Greater Essex County District School Board has initiated an investigation into the incident. I believe the director of education and the board have taken the appropriate first steps to investigate the incident and make recommendations for a policy that would prevent anything like this happening in the future.

The director of education, the board, many parents, constituents and I agree that this incident is a violation of the rights, dignity and respect of the young people involved.

I would urge the Minister of Education to work with the Greater Essex County Board of Education in developing a policy on individual and group action in such circumstances and that this policy be recommended as a policy for all school boards in the province.

BOARD OF INTERNAL ECONOMY DECISION

Mrs Marion Boyd (London Centre): This is indeed a sad day for the taxpayers of Ontario because they are bearing the burden of an issue that they ought not to have had to pay for at all.

Ever since September 1996 we have had in this House a pending allegation of sexual harassment against one of our members. That is a very serious matter. What has happened today is that a settlement has been reached in the civil cases that rested among this matter without any finding of fact, without any of us being aware of who was telling the truth and who was not in this particular case.

Normally in a civil matter, when responsibility is assigned, the person responsible pays the cost of court action. In this case, the government members of the Board of Internal Economy have subverted the process in the courts and have determined, for what we believe is a political reason, to reach a settlement in the case without a finding of fact ever being made. The people who pay the cost of that decision are the taxpayers of Ontario.

We believe this is a very, very serious matter. It is the politicization of a matter which is extremely serious and ought to be regarded as such by this House, but it has been subverted by the government of Ontario.

SHARE THE WARMTH

Mr Jack Carroll (Chatham-Kent): I rise today to congratulate and acknowledge the corporate challenge issued on Thursday by Share the Warmth to Bay Street firms.

Share the Warmth is a unique non-profit, private-public partnership of citizens, utilities, social service agencies and business. Partners include Enbridge-Consumers' Gas, Toronto Hydro, Cambridge Self-Help Food Bank, Fasken Campbell Godfrey, Levis, Toyota and Zehrs.

Unlike traditional charities, Share the Warmth does not give money but instead provides practical relief to low-income families and agencies throughout Toronto by purchasing energy from participating utilities.

Since 1995, Share the Warmth has helped 38 agencies and 14,000 individuals stay warm; 100% of all donations are converted to energy. It is run mostly by Osgoode Hall law students in co-operation with Toronto Hydro and Enbridge-Consumers' Gas. Families, seniors, disabled persons and people living with HIV may apply through their local daily food bank for assistance.

I'm excited to speak about such a program because it is in keeping with the province's own efforts in supporting innovative approaches to prevent homelessness. This is a great example of how integrated community-based services can make a difference.

Donations of \$30, \$60 and \$90 can be made through their automated donation line at 1-900-565-9276.

Again, I would like to congratulate Share the Warmth for their hard work and wish them much success with their 1998-99 campaign.

Mr Bud Wildman (Algoma): On a point of order, Speaker: It stinks in here more than usual.

The Speaker (Hon Chris Stockwell): It's exhaust from a truck outside. They're going to ask the truck to shut its engine off.

Mr Wildman: On a point of order, Mr Speaker.

The Speaker: Can I do routine proceedings before your point of order?

REPORTS BY COMMITTEES

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr Wayne Wettlaufer (Kitchener): I beg leave to present a report from the standing committee on finance and economic affairs, and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill, as amended:

Bill 79, An Act to amend the Assessment Act, Municipal Act, Assessment Review Board Act and Education Act in respect of property taxes / *Projet de loi 79, Loi modifiant la Loi sur l'évaluation foncière, la Loi sur les municipalités, la Loi sur la Commission de révision de l'évaluation foncière et la Loi sur l'éducation en ce qui concerne l'impôt foncier.*

The Speaker (Hon Chris Stockwell): Shall the report be received and adopted? Agreed.

Pursuant to the order of the House dated Monday, November 30, 1998, the bill is ordered for third reading.

MOTIONS

COMMITTEE SITTINGS

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): Mr Speaker, I believe we have unanimous consent to move a motion without notice with respect to the standing committee on resources development and Bill 71, the Professional Foresters Act.

The Speaker (Hon Chris Stockwell): Agreed? Agreed.

Hon Mr Sterling: I move that the standing committee on resources development be authorized to meet on

Tuesday, December 15, 1998, outside of its regularly scheduled meeting times, but not during routine proceedings, for the purpose of considering Bill 71, An Act respecting the regulation of the practice of Professional Forestry.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

1350

STATUS OF BILL Pr22

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: Bill Pr22, sponsored by the member for Kingston and The Islands, is in our opinion out of order. I would like you to rule on this.

I refer to Beachesne's section 1055, which states, "There are four principles which have been followed in determining whether" a bill is properly a public bill rather than a private bill.

The first is that the matter is an issue of public policy. Bill Pr22 allows the municipality, under section 6, to delegate to corporations initially owned by the municipality "any of the city's or the council's powers or duties relating to the provision of a municipal service." This affects a very wide range of powers that are normally subject to the Municipal Act. It also does this in a way that is very sweeping and would set a precedent for the conduct of municipal government in this province.

One particular requirement of the Municipal Act that could be affected is the requirement under section 55 that a municipal council or local board hold public meetings. Bill Pr22 specifies in subsection 5(3) that the municipal corporations created by the act are not to be considered local. Local boards, as you know, are required to have open meetings.

Beachesne's second criterion is that the bill should be public if it "proposes to amend or repeal public acts." I would contend that references made above also fit this criterion. I would also ask the Speaker to note subsection 7(6) of Bill Pr22, which allows money to be transferred to new corporations from various reserve funds despite various acts, including the Development Charges Act, the Municipal Act and the Public Utilities Act.

Beachesne's third criterion refers to, "The magnitude of the area and the multiplicity of the interests involved." Since the bill refers to virtually the entire scope of municipal activity in the newly amalgamated city of Kingston, it is our view that it fits this criterion.

Finally, Beachesne's fourth criterion is "that the bill, though partly of a private nature, has as its main object a public matter." I think I've made clear in my previous comments that this indeed deals with public matters.

This bill is scheduled to go to the standing committee on private bills tomorrow morning. I would ask the Speaker to rule before then that it is not a proper private bill and that it should be ruled out of order.

Mr John Gerretsen (Kingston and The Islands): On the same point of order, Mr Speaker: As sponsor of the bill, I was only aware of this point of order being raised at

this time. The matter is coming before the committee tomorrow at 10 o'clock. Obviously the members from the Kingston community who are involved with this bill are perhaps already on their way down here. I suggest that they be given the courtesy of having the hearing held at that point in time, and perhaps some of the points that have been raised by the member for Algoma can be raised at that time, either by government members or other members.

Mr Wildman: It's not a debatable matter; it's either in order or not.

Mr Gerretsen: I would suggest that whatever decision is made on this matter, Mr Speaker, it be done quickly, so that at least the people will not be coming down here without having their say, in effect. I really and truly believe that since a meeting has been scheduled for them to meet with the committee, that meeting should go ahead. If other members have any concerns about the bill at that point in time, they're of course free to state so.

The Speaker (Hon Chris Stockwell): It's a good point of order the member for Algoma raises. I understand the predicament you're in, member for Kingston and The Islands. Normally I would reserve and ask the committee to deal with another matter tomorrow, but the fact is that I understand that people are scheduled to come. I would ask the indulgence of the House that if I could rule later today, it would be good for me, but I won't necessarily have all the members or even the two parties in the House. I would endeavour to give my ruling and then after that, if you're not here, contact you as soon as possible, if that's okay. Agreed? Agreed.

BOARD OF INTERNAL ECONOMY DECISION

Mr Howard Hampton (Rainy River): On a point of order, Mr Speaker: I want to raise an issue of great concern to this House and to the people of Ontario. Public money is being used to pay hundreds of thousands of dollars to avoid embarrassment for the government and for a government member in a sexual harassment case. This amounts to hush money by the government, paid out to try to smother a scandal. But while this has all been orchestrated by the government House leader and the Deputy Premier's parliamentary assistant, against the best legal advice, over the intense objection —

The Speaker (Hon Chris Stockwell): I need a point of order, leader of the third party.

Mr Hampton: This has all been attempted behind closed doors, and we hear a lot of concern from this government about taxpayers' money. I repeat again, this has all been done against the best legal advice available. So I'm asking for unanimous consent to set aside this afternoon's business in orders of the day for an emergency debate on the Harris hush money being paid to smother the Al McLean scandal.

The Speaker: That's after routine proceedings, to set aside the business of the day. Agreed? No.

Mr Dalton McGuinty (Leader of the Opposition): On a point of order, Speaker: Yesterday you ruled a number of questions related to the decision, the Al McLean matter, to be out of order, and I have a point of order to raise in that regard.

Section 87(e) of the Legislative Assembly Act states, "There shall be a Board of Internal Economy composed of...three commissioners appointed by the Lieutenant Governor in Council from among the members of the executive council." Speaker, this is important for two reasons. First, it is clear that these three members of the cabinet sit on the Board of Internal Economy because they are members of the cabinet. Second, as appointees of the Lieutenant Governor in Council, they are responsible in a very direct sense to the cabinet itself and therefore accountable to the people of Ontario.

Second, section 36(a) of the standing orders states, "Questions on matters of urgent public importance may be addressed to the ministers of the crown but the Speaker shall disallow any question which he or she does not consider urgent or of public importance." This is important as well for two separate reasons, Speaker. First of all, I doubt that any member of this Legislature would argue that the expenditure of approximately 600,000 taxpayer dollars was not a matter of important public business. Second, given that not less than two hours ago the Board of Internal Economy met again to discuss the decisions and arrived at a conclusion, I doubt that anyone would dare say that this is not urgent.

Finally, given that these three ministers sit on the Board of Internal Economy as ministers, given that question period is the forum for us to hold ministers accountable for their actions, I would argue that questions placed to the Chair of Management Board, the Minister of Transportation or the government House leader on their actions at the Board of Internal Economy would be in order.

As well, Speaker, I would add that before you rule, if those ministers, if the government, could not be held accountable for the expenditure of 600,000 taxpayer dollars then who would be accountable?

The Speaker: The one point of disagreement with your point of order is that the members who make up the Board of Internal Economy who are members of the executive council all have responsibilities as members of the executive council and they're allowed to field questions from the opposition relating to those ministries. It seems to me that the Minister of Transportation and the environment minister and the third one, the Management Board Chair, have responsibilities that they're asked to respond to in the House. The dealings in the Board of Internal Economy don't relate to their position as a minister of the crown. The Minister of Transportation has responsibility for transportation issues, not necessarily the Board of Internal Economy.

Second, the Board of Internal Economy is made up of all parties, and all parties have access and full opportunity to discuss any information allowed to all three parties at that board. It is not a decision taken by a government at that board. It is taken by the board, represented by all

three parties, and therefore they're not liable nor responsible to respond to those decisions in their position as ministers of the crown.

I appreciate your question. Understand that I allowed some questions yesterday to the Deputy Premier because they were couched with respect to government business. To ask a minister to stand up and defend that decision, in my opinion, would be inappropriate for the Speaker to allow and profoundly out of order, because in my opinion it would just be a wide-open debate at that point about what then becomes ministerial responsibility, even though they have no responsibility.

1400

Mr Bud Wildman (Algoma): On a further point of order, Speaker: I think all of us as members of the Legislative Assembly would accept and agree that it is a fundamental tenet of responsible government that the executive is accountable to the Legislative Assembly for the expenditure of public funds. That is a basic element of our parliamentary system.

The question that is before us now and the reason I am standing on a point of order —

The Speaker: I'm not cutting you off, but I want to be clear about what your position is. The government is not responsible for the expenditures of the Legislative Assembly funds. They have no responsibility for that. That's the responsibility of the Speaker and the Board of Internal Economy. I don't want to burst your bubble, but the premise is fundamentally flawed. The government does not have responsibility to answer to the expenditures of the Legislative Assembly. Only the Speaker has that responsibility and you can't question the Speaker.

Mr Wildman: All right, then I'll follow through with that, thank you very much, Speaker.

Section 86 of the Legislative Assembly Act stipulates, "The accounts and financial transactions of the office of the assembly shall be audited annually by the Provincial Auditor." Furthermore, the Provincial Auditor has a duty to report to the public accounts committee of the Legislative Assembly.

Therefore, would it be in order, Speaker, for the public accounts committee of the Legislative Assembly to be seized with this matter?

The Speaker: Yes.

Mr Wildman: And to deal with this matter?

The Speaker: Yes.

Mr Wildman: That would then be in order?

The Speaker: Yes.

Mr Wildman: In that case, Speaker, I would ask for unanimous consent that the public accounts committee suspend its regularly scheduled business and immediately examine the Board of Internal Economy's settlement with respect to the matter related to former Speaker Al McLean.

The Speaker: Agreed? I heard a no.

Mr Wildman: On a further point of order, Speaker: I'll try another approach. Since the estimates of the Board of Internal Economy are part of the estimates of the Legislative Assembly, and since these estimates are the

appropriate subject of review by the Legislative Assembly committee, would it then be in order for the Legislative Assembly committee to be seized of this matter?

Mr Tony Silipo (Dovercourt): On that point, Speaker: Just to add, in our rules, clause 105(i), in defining the role of the standing committee and the powers of the standing committee on the Legislative Assembly, says that committee is also empowered "to report to the House its observations, opinions and recommendations on the standing orders of the House and the procedures in the House and its committees" — and then, and this is the important part — "to advise the Speaker and the Board of Internal Economy, and to report to the House its observations, opinions and recommendations" etc. So there is a direct reference there to the role of the Legislative Assembly committee as it pertains to the business of the Board of Internal Economy.

The Speaker: You see, the difference with that standing committee, as opposed to the public accounts committee, is that it's there to advise. They don't have the power, in my opinion. It's an advisory committee.

You could go through the other route, the first route that the member for Algoma brought forward. That's properly before the House. I don't think the Legislative Assembly committee has the power to do what you're asking them to do. They're an advisory committee and all they do, in fact, is advise the Speaker on Legislative Assembly matters.

Mr Wildman: In that case, Speaker, I would ask again for unanimous consent that the standing committee on the Legislative Assembly convene tomorrow afternoon, which is its regularly scheduled meeting time, to review the financial settlement reached in the matter regarding former Speaker Al McLean and to advise the Speaker and the House whether this is a good expenditure of public funds.

The Speaker: I'm going to call that one, but you know something? With unanimous consent, you can do anything. You don't need to cite the rules if you want to seek unanimous consent to do any of these things.

Mr Wildman: No, I was asking for you to rule that —

The Speaker: Oh, I see. OK. Do you understand the motion? He's asking for unanimous consent. Agreed? I heard a no.

Mr McGuinty: On a point of order, Mr Speaker: As I understand it, we've had today a motion for unanimous consent for an emergency debate. We've had some motions to refer this to standing committees. I have another motion.

I seek unanimous consent to move the following motion: I move that the Ontario Legislative Assembly direct the Board of Internal Economy to reconsider its decision requiring taxpayers to fund the settlement between the member for Simcoe East and his former employee.

The Speaker: Do you understand the motion? Agreed? I heard a no.

ORAL QUESTIONS

BOARD OF INTERNAL ECONOMY DECISION

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Deputy Premier and, more important in this particular context, Minister of Finance. As the person responsible for Ontario's purse strings, the person who is charged with a special responsibility of protecting Ontario taxpayer dollars, would you agree with me that forcing taxpayers to spend \$600,000 on the Al McLean matter is a terrible misuse of taxpayer dollars?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): To the leader of the official opposition, I don't have any control over decisions that the Board of Internal Economy makes with respect to legislative monies and how they are spent. If he wants to know any details about transactions and discussions that occurred at the Board of Internal Economy, I would suggest that he ask a minister who was in fact present and a member of the Board of Internal Economy.

Mr McGuinty: I would be delighted to put that question to a minister who sits on the Board of Internal Economy, but those ministers will not take those questions, so it is left to me to put those questions to you. As I understand it, 600,000 taxpayer dollars are going out the door today. You have responsibility for taxpayer dollars here in Ontario. Do you or do you not think this is an appropriate expenditure? Should we be spending 600,000 taxpayer dollars on this matter when the lawyer acting for the Legislative Assembly specifically advised that this was not a good thing to do, told us that the Legislative Assembly would not be liable if this matter proceeded to court? Do you think this is an appropriate expenditure of taxpayer dollars, yes or no?

Hon Mr Eves: I am not a member of the Board of Internal Economy. I was not present at any discussion.

Mr John Gerretsen (Kingston and The Islands): You can't stonewall it.

Hon Mr Eves: I don't have any control over your personal budget either, Mr Gerretsen, I would say to you, any more than I have control over the budget of the Board of Internal Economy or the Legislative Assembly of Ontario. If the leader of the official opposition wants to talk about how taxpayers' dollars are spent by this government vis-à-vis a government that he was a part of, David Peterson's government from 1985 to 1990, I'd be more than happy to engage you in that debate.

1410

Mr McGuinty: We now have a Minister of Finance for Ontario who's responsible for all finance except for this particular \$600,000.

Interjections.

The Speaker (Hon Chris Stockwell): Order. Stop the clock. OK, final supplementary.

Mr McGuinty: This is a matter of important public business. We're talking about the expenditure of 600,000

taxpayer dollars. I need to know from you, Minister — this lends some definition to you. Simply stand up and provide us with your opinion. Do you think this is an appropriate expenditure or not? Had you been sitting on the Board of Internal Economy, how would you have voted? What would you have suggested was the appropriate use of 600,000 taxpayer dollars? It's a very simple matter. Please tell us where you stand on this.

The Speaker: Hold on. Government whip, do you want to stand up on a point of order?

Hon David Turnbull (Minister without Portfolio): Yes, Mr Speaker. I believe you have already ruled that these are not appropriate questions and this has got nothing to do with the conduct of our government of this province. Accordingly, I would presume that you would want to rule it out of order.

The Speaker: The point I want to make to the chief government whip — I appreciate your point of order — is on direction from this House and how this House's questions are fielded and answered. Is it appropriate for the opposition to ask ministers' opinions on issues of the day in Ontario? Frankly, I say to the chief government whip, it happens every day in this place, and it would be very difficult for me to start setting rules down that say you can't ask opinions about issues of the day in the province of Ontario. It would be virtually impossible for me to police that. I understand your point of order, I appreciate it, but I think I need a little bit of leeway on this one.

OK, Deputy Premier.

Hon Mr Eves: To the leader of the official opposition, I have no idea how I would have voted unless I knew all the facts pertaining to any particular case. I don't know how you make decisions. I would suggest to you that you would not be very happy if any member of the government was to dictate to your party or any of your members how they spend their global budgets or how you spend your caucus research money.

Mr David Christopherson (Hamilton Centre): It has nothing to do with that.

Hon Mr Eves: It has everything to do with it. They are both expenditures of the Legislative Assembly of Ontario that are determined by the Board of Internal Economy. They are not determined by the government.

Would you be happy, I say to the leader of the official opposition, if we determined how you and every one of your caucus members expended your money and how much money you had to spend?

The Speaker: New question; leader of the official opposition.

Mr McGuinty: I have a question for the Minister of the Environment and House leader. In keeping with the advice offered by the Minister of Finance, I will now direct a question to him.

Minister, 600,000 taxpayer dollars are going out the door today. Those dollars are leaving this precinct because of a decision taken at the Board of Internal Economy, a board on which you happen to sit. Can you now please provide us with your opinion? Can you tell us whether or

not you believe that this is in the interests of Ontario taxpayers that we spend \$600,000 —

The Speaker: Pardon me. Leader of the official opposition, this is out of order. It's completely out of order.

Mr Gerretsen: The finance minister said —

The Speaker: Member for Kingston and The Islands, you can't ask a member of the board questions about issues at the Board of Internal Economy. It doesn't fall under his jurisdiction. That was my ruling earlier.

If you want to direct your questions, you can direct them to the —

Mr Bud Wildman (Algoma): On a point of order, Speaker: I would like to draw your attention to Beauchesne, sixth edition:

Section 410(2): It is in order "to ask about matters reported in the media or statements by ministers outside the House or 'certain questions regarding government policy.'"

Sub (6): "The greatest possible freedom should be given to members consistent with the other rules and practices."

Sub (10): "The subject matter of questions must be within the collective responsibility of the government or the individual responsibilities of ministers." I would submit that these matters are within the collective responsibility of the government to oversee the public exchequer.

Section 408, sub (1)(a): "Such questions should be asked only in respect of matters of sufficient urgency and importance as to require an immediate answer."

Section 409, sub (6): "A question must be within the administrative competence of the government...." I would submit to you that one of the members of the executive council on the Board of Internal Economy is the government House leader.

I would suggest to you, Speaker, that there are suggestions in Beauchesne that latitude should be given in asking questions on these matters, particularly as it relates to the competence of the government House leader to answer questions related to the overall expenditure of public funds.

The Speaker: I think the preamble to the Beauchesne's argument you make is that there is a minister of the crown designated to respond to questions at the Board of Internal Economy. I know it works that way in Ottawa. The difference here is that we do not have a minister of the crown designated to respond to questions for the Board of Internal Economy. I am that person, and you can't ask me a question.

In three rulings — June 27, 1996, Speaker McLean; November 26, 1990, Speaker Warner; April 21, 1994, Acting Speaker Villeneuve — and I won't bother belabouring you with the reading, all three rulings say exactly the same thing: The government doesn't nor can it answer for the dealings of the Board of Internal Economy.

Although you make a very valid argument, the preamble to that argument is that a minister is responsible, designated by the government to respond to questions for the Board of Internal Economy. We do not have that here,

so therefore I must answer the questions and you can't ask me questions. Sorry.

Mr McGuinty: On a point of order, Speaker, arising from your comments: When I put the question to the Minister of Finance, he said that I ought to be directing it to a member who sat on the Board of Internal Economy, to one of the ministers who's sitting on the Board of Internal Economy. I think we can draw the inference from that that this government is taking responsibility and assigning that responsibility to the House leader.

Hon Janet Ecker (Minister of Community and Social Services): That's not what he said.

Mr McGuinty: That's what the finance minister said, Speaker. He understands full well that the public will not understand that \$600,000 can go out the door and nobody in government be accountable for that. He understands that. That's why he's directing me to direct my question to the House leader, which I'm trying to do.

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The Speaker: You know what? I heard the same thing, but he doesn't have the power to do that. He can advise you all he likes, but the advice wasn't good advice.

Interjections.

The Speaker: Order. I heard the same advice, but that isn't sound advice because there's no minister on the front bench who may answer for the Board of Internal Economy. Even if they wanted to answer for the Board of Internal Economy, it wouldn't be allowed.

We're at second question. Leader of the official opposition.

Mr McGuinty: Minister, \$600,000 —

The Speaker: Who are you going to?

Mr McGuinty: I'm going to the same minister, Speaker. Are you allowing me to go to another minister now?

The Speaker: Yes, I will allow you to go to another minister, considering the ruling I made.

Mr McGuinty: I want to go back to the Minister of Finance. Minister, you made reference earlier to the fact that you have no control over our budgets. I think it's important for the public to understand that \$600,000 was not budgeted for this expenditure. This has come out of nowhere. This is not part and parcel of the normal, usual dealings of the Board of Internal Economy. This is a very special circumstance.

Your members make up the majority of the Board of Internal Economy. You control what goes on in the Board of Internal Economy. I'm going to ask you once again, do you think it was an appropriate expenditure to spend 600,000 taxpayer dollars on the Al McLean matter?

Hon Mr Eves: I do not control what goes on at the Board of Internal Economy. I have no control over any member, how they vote, what decisions they make. I don't have a vote; I'm not a member of the board.

I was a member of the board for 10 years, between 1985 and 1995. I say to the leader of the official opposition, during the five years that your party was in power and during the five years that the third party was in power, there were often decisions around employees, settlements

with employees who sued the Ontario government. They were determined at the board by members of the board from 1985 to 1990 and from 1990 to 1995, and they're still determined the same way from 1995 to now. But I don't control what goes on at the Board of Internal Economy. I'm not even a member. I have no control over the Legislative Assembly budget, period, or any aspect thereof.

Mr McGuinty: You may not have any control over what goes on there, so you claim, but surely you have an opinion. You're the MPP for Parry Sound, you're the Minister of Finance and you are the Deputy Premier. If one of your constituents were to ask you, if an Ontario voter were to direct a question to you, "Do you think this is a good thing or a bad thing?" how would you respond? That's a very simple question. Do you think it's an appropriate expenditure of taxpayer money, \$600,000 on the Al McLean matter? Answer that question now.

Hon Mr Eves: I don't have all the facts upon which members of the board made a decision on this issue.

Interjections.

The Speaker: Order.

Deputy Premier.

Hon Mr Eves: I think I've answered the honourable leader's question.

Mr McGuinty: It's perfectly obvious from your answers that nobody in government, apparently, is prepared to take responsibility for \$600,000 going out the door today, 600,000 taxpayer dollars out the door today, contrary to the advice of the lawyer that the Legislative Assembly had retained and paid. That lawyer told the Board of Internal Economy that it was highly unlikely that the Legislative Assembly, meaning Ontario taxpayers, would be found to be financially responsible for the actions of Al McLean. That \$600,000 apparently is going out the door, notwithstanding the advice of the lawyer we paid to advise us.

If I could get a page over here now, I wonder if I might help the Minister of Finance today. I'll send over some paper towels so he might thoroughly wash his hands of this affair.

Hon Mr Eves: I am sure that every single member of the Board of Internal Economy who was presented with facts today and who made a decision one way or the other today, if in fact a final decision was made, will have an opinion as to why he or she voted in a particular way. I suggest that if you want an answer from one of those people, you ask them their opinion just as you're asking me my opinion.

The Speaker: New question, leader of the third party.

Mr Howard Hampton (Rainy River): Mr Speaker, I have a point of order. I am asking for unanimous consent for the Minister of the Environment and government House leader, Mr Sterling; for the Minister of Transportation, Mr Clement; and for the minister responsible for Management Board, Mr Hodgson, though he is not in his seat right now, that they may assume the responsibility as representatives of the crown, members of the cabinet, and that they answer questions here today and be held

accountable for the decision they have taken on the Board of Internal Economy with respect to the expenditure of \$600,000 of taxpayers' money to cover up, to hush up a sex scandal.

The Speaker: Is there unanimous consent? I heard a no.

Question, leader of the third party.

Mr Hampton: Since those cabinet ministers won't answer and assume their proper responsibility —

The Speaker: Who is the question to?

Mr Hampton: — as ministers of the crown, I will ask this question of the Deputy Premier. It is so obvious that the Harris government is desperate to avoid full public disclosure and full public discussion of this hush money being paid to smother the Allan McLean sexual harassment scandal. You refuse to allow an emergency debate, you try to hide behind your House rules, to duck questions on your responsibility and your accountability, but the fact of the matter is, three members of the Board of Internal Economy are cabinet ministers appointed by Premier Mike Harris. The fourth government member, Mr Baird, is your parliamentary assistant. They're your appointees, your representatives. Surely you hear the public outcry.

The Speaker: Question?

Mr Hampton: Will you recall these three cabinet ministers from the Board of Internal Economy and replace them with people who are prepared —

The Speaker: Deputy Premier.

Hon Mr Eves: I do not have any ability to appoint, call, recall cabinet ministers or parliamentary assistants.

Mr Hampton: These members are appointed to the Board of Internal Economy by order in council; they're cabinet appointees. You, as Deputy Premier, could convene a cabinet meeting today and replace them with somebody who is prepared to speak up for the taxpayers of the province. The reality is that this is public money. We understand now that over \$600,000 of public money is going to be used as hush money to avoid embarrassment for your government and one of your government members. You tried to do all this behind closed doors, you tried to do it in secrecy, but the word got out.

You can't avoid your responsibility. Somebody in your government has to be responsible. You appointed these people to the cabinet, so you and the Premier must be responsible for their conduct. Are you going to hold them accountable for their conduct or is it the reality that you approve of the expenditure of \$600,000 as hush money to shut down this scandal around sexual harassment? Do you approve of that?

Hon Mr Eves: It is ludicrous for the leader of the third party to suggest that any Deputy Premier in the history of the province of Ontario has the authority to appoint, demote, reappoint, change responsibilities.

Mr Wildman: The cabinet does.

Hon Mr Eves: I say to the member for Algoma, when he was a cabinet minister in Bob Rae's government, how many cabinet ministers did you appoint?

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Mr Hampton: The line of responsibility here is so clear. Your Premier and your cabinet put Mr Clement on the Board of Internal Economy. You put Mr Hodgson on the Board of Internal Economy. You put Mr Sterling on the Board of Internal Economy. These three people have voted behind closed doors to spend \$600,000 of taxpayers' money to hush up a sex scandal involving a government member against the good legal advice of counsel who was retained by the Board of Internal Economy.

Are you going to do the right thing as the Deputy Premier? Are you going to go to your Premier and say: "Premier, these people have to be taken off the Board of Internal Economy. This is a disgraceful decision. This is a misuse of taxpayers' money. It flies in the face of independent legal advice. This is wrong?"

The Speaker: Question.

Mr Hampton: Are you going to take responsibility and accountability for your appointees by order in council to the Board of Internal Economy?

Hon Mr Eves: The leader of the third party has been in this place for a good number of years. He knows full well who makes cabinet appointments, parliamentary assistant appointments.

Interjection.

Hon Mr Eves: In theory, yes, they are made by the Lieutenant Governor in Council. He also knows the Lieutenant Governor doesn't make these appointments. He knows it's the prerogative of the Premier of the day, as it was in Bob Rae's government, as it was in David Peterson's government, as it was in Bill Davis's government and so and so and so.

He suggests that members of the Board of Internal Economy are hiding. They're not hiding. I see two of them here today. Undoubtedly —

Mr Tony Silipo (Dovercourt): They won't answer questions.

Hon Mr Eves: — I say to the member for Dovercourt, when they leave the chamber today, they will be scrummed by members of the media. The public will have —

Interjections.

The Speaker: Member for Hamilton Centre, come to order, please.

Hon Mr Eves: To suggest that any member of the government sets the budget for the Legislative Assembly of Ontario is ludicrous. It has never happened that way under any government.

The Speaker: Answer.

Hon Mr Eves: I say to the leader of the third party, he knows full well that I don't have the power he suggests I have. He knows full well that those members on the board, be they on the opposition side of the House or the government side of the House, will have to answer these questions —

The Speaker: Thank you.

Mr Wildman: On a point of order, Mr Speaker: I draw your attention again to the standing orders, 105(i), on page 82. It says, "Standing committee on the Legislative

Assembly which is empowered to review on its own initiative or at the request of the Speaker or the direction of the House...to advise the Speaker and the Board of Internal Economy, and to report to the House its observations, opinions and recommendations on the administration of the House and the provision of services and facilities to members."

Does not that give you as Speaker of this assembly the opportunity and the ability and indeed the responsibility to request the standing committee on the Legislative Assembly to consider this matter and give you and the House its advice on the advisability of the expenditure of public funds on this matter?

The Speaker: Let me think about that one.

New question, leader of the third party.

Mr Hampton: Again to the Deputy Premier, last May the Board of Internal Economy was looking at increasing the housing allowance for members of the Legislature, because a number of members — in fact, I believe it was government members — had raised with the Board of Internal Economy that it was difficult to find an apartment near Queen's Park that came within the housing allowance. When your Premier heard about this: "Harris said government House Leader Norm Sterling, who advocates hiking the subsidies, will be asked to quash any increases at today's meeting of the Board of Internal Economy. Harris advised Sterling to reach into his own wallet for the difference, saying, 'I have done that.'"

As I understand it, the Board of Internal Economy was looking at increasing the housing allowance for members by perhaps \$1,000 or \$2,000 a year. Here we're dealing with \$600,000 in one shot. Since the Premier had very clear views last spring, can you tell me what the Premier's views are on this matter now?

Hon Mr Eves: No, I cannot. I have not spoken to the Premier about this matter. I do not recall the incident or the item you're talking about that was apparently before the Board of Internal Economy, as you say, last May. As you know, I'm not a member of the board. I don't have anything to do with your expenses or the expenses of the leader of the official opposition or any other member's expenses, for that matter. I'm not a member of the board. The board makes the decision. Individual members vote according to what they think is appropriate, having heard the facts. I don't know what the Premier's attitude is about this or any other matter. That's a personal question you'll have to wait to ask the Premier.

Mr Hampton: Here's the situation: When it comes to a housing allowance last spring that might amount to \$1,000 or \$2,000 a year, the Premier has a very definite opinion. Here we're talking about \$600,000, all at once, in a decision reached behind closed doors, against the legal advice of independent legal counsel, dealing with hush money in a sex scandal, and we're to believe that the Premier has no view, no opinion.

Let me be very clear about this. As reported, again last spring: "When Premier Mike Harris got wind of the proposed hike, he put an end to it. 'I'm sure that our members

of the Board of Internal Economy will reflect that we believe the allowances are adequate as is,' Harris said."

Last spring the Board of Internal Economy and your members on the Board of Internal Economy weren't very independent. They took direction from the Premier. What's the direction of the Premier here, sir?

Hon Mr Eves: I have no idea what the Premier thinks about a lot of things. I don't have any idea about what you think about a lot of things. You might have an opinion about — in fact, as I recall, you did have a very definite opinion about some of your expenses. I never commented on those. I don't think it's in my purview, quite frankly, to comment on those.

All I do know is that the Board of Internal Economy will not be allowed to expend the money of the Legislative Assembly budget if the Legislative Assembly budget does not provide for it. There will have to be some sort of supplementary estimate process that will find its place either before a committee or before this chamber itself.

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Mr Hampton: The Deputy Premier tries to skate, but he can't skate away from this one. Here is the reality. Last spring, the Premier of this province gave direction to the government members on the Board of Internal Economy. He said to them: "I know you're talking about increasing the housing allowance for members of the Legislature so they can rent an apartment near Queen's Park. I'm telling you to vote against it. I'm telling you to put an end to it." What happens the next day after the Premier gives the direction? It is totally shut down.

Here's the situation, Deputy Premier. Last spring, your members of the Board of Internal Economy were not independent. They took specific and clear direction from the Premier. I'm asking you now, quite simply, in a matter where \$600,000 of taxpayers' money, of public money is going to go out the door — it hasn't been subject to an open process; in fact, it happened behind closed doors against the independent advice of legal counsel — what's the opinion, what's the direction of the Premier now?

Hon Mr Eves: First of all, the leader of the third party knows full well that the minutes of the Board of Internal Economy meeting will be public. That was changed, by the way, several years ago. It's not behind closed doors. That provision was changed the minute —

Mr Alex Cullen (Ottawa West): There have been closed-door meetings where this has been discussed.

The Speaker: Order.

Hon Mr Eves: Mr Speaker, the leader of third party has been around this place long enough. I hear the member for Ottawa West saying, "A decision was made behind closed doors." I guess he's no smarter over there than he was over there.

Interjections.

The Speaker: Order.

Hon Mr Eves: I say to the leader of the third party, tell me one time when you were in the Rae cabinet that a cabinet meeting or a Board of Internal Economy meeting was open to members of the public.

The Speaker: New question, leader of the official opposition.

Mr McGuinty: Deputy Premier, are you telling this House today that at no time did you offer any input, any advice, any direction, any comment to any member of your government who sits on the Board of Internal Economy regarding the Al McLean matter?

Hon Mr Eves: That is correct.

Mr McGuinty: Are you telling us that you had no discussion of any kind with your own parliamentary assistant who sits on the Board of Internal Economy? You are also telling us, then, I assume, that to your knowledge the four government members who sit on the Board of Internal Economy were completely renegade in terms of the decision they made with respect to this matter and that they consulted no one, that the decision that was made was completely internal to those four government members, that they sought no direction from the cabinet, that there was no consultation with you or the Premier.

Is that what you're telling us, essentially, that your own parliamentary assistant and the three other government members who sit on the Board of Internal Economy operated completely independently of all other government members in this matter?

Hon Mr Eves: Let me state this very clearly so you can understand: At no time have I ever talked to my parliamentary assistant, either one of them, but the one you're referring to who sits on the Board of Internal Economy; that has nothing to do with his duties as parliamentary assistant to the Minister of Finance. I would not be so presumptuous as to tell him what to do, and at no time have I had a conversation of any description whatsoever with him about this issue. Is that clear enough for you?

The Speaker: New question, leader of the third party.

Mr Hampton: My question is again to the Deputy Premier. It is on the public record that the Premier last spring gave direction to the government members on the Board of Internal Economy as to how they were supposed to vote and what position they were supposed to take on an issue.

I'm asking you now: Are you telling us the Premier doesn't have a position on this? Are you asking us to believe that when he had so much to do with directing them how to vote last spring, he has no position on this, when \$600,000 of taxpayers' money is going to go out the door after a closed-door process, against the advice of independent legal counsel? Are you asking us to believe that? Do you believe that yourself, Deputy Premier?

Hon Mr Eves: I have no idea what the Premier said, what his idea is. They're his ideas. He can explain them to you when he appears in question period tomorrow. However, there can be no expenditure by the Board of Internal Economy if it's not provided for in the budget of the Legislative Assembly of Ontario. If the fact is, as the leader of the third party seems to believe, that this is an expenditure above and beyond that allotted to the Legislative Assembly and the Board of Internal Economy, it will have to find its way to a committee of this House or to the floor of this House to be discussed at some time.

Mr Hampton: The Deputy Premier says we should wait and ask the Premier. I suspect we could be here a couple of months before we see the Premier again in this Legislature anxious to answer any questions.

It is very clear what's going on here. The Premier had so much to say. His directions to your members of the Board of Internal Economy were very clear, very specific last spring. On May 28, he says: "This can't happen. I'm going to put an end to this. I am opposed to any increase in these expenditure allowances." The next day, on May 29, the government members on the Board of Internal Economy salute, they go in and they vote against any changes. It's very clear the Premier gave direction, it's very clear your members of the Board of Internal Economy weren't independent and they followed the Premier's direction.

I'm asking you, what direction did the Premier give, and if you don't know, will you find out what direction the Premier gave to the members of the Board of Internal Economy in this case?

Hon Mr Eves: The leader of the third party is assuming or inferring that the Premier last May, on another issue, gave direction to members. It is reported in some parts of the media what he did. However, to answer your question very directly, today the Premier is currently in a conference call with all the other premiers in Canada, talking about the social union. I'm sure if you wait until tomorrow at this time, the Premier will be in question period and you can ask him for yourself.

1450

THEATRE INDUSTRY

Mrs Julia Munro (Durham-York): My question is to the Minister of Citizenship, Culture and Recreation. Toronto's live theatre community has been in the news recently with the troubles at Livent and the successful efforts of the community to ensure that many shows go on. Of course, Livent is just one company. There is terrific live theatre across the province, including the Red Barn theatre in my riding. It's the oldest professional summer theatre in Canada and it had a great season this year. Can you inform the House how Ontario's live theatre industry is faring?

Hon Isabel Bassett (Minister of Citizenship, Culture and Recreation): I want to thank the member for Durham-York for the question because I want to say that this government is absolutely committed to fostering the growth and success of live theatre here in Toronto and right across the province, and our efforts are certainly paying off. Live theatre is growing. For example, the Stratford Festival has reported its most successful year ever.

In addition to that, the live theatre industry here in Ontario adds \$400 million a year to the economy. It employs 4,200 Ontarians and it brings literally millions of tourists to the province. For example, we have on record that 17.6 million tourists took in at least one show last season here in Toronto, which is wonderful. Toronto, by the way, is the third-largest theatre centre in the world.

The Speaker (Hon Chris Stockwell): Answer.

Hon Ms Bassett: I want to applaud the communities around Toronto for uniting and making sure that all the shows cancelled by Livent —

The Speaker: Thank you. Supplementary.

Mrs Munro: Can you tell the House how this government supports the live theatre industry?

Hon Ms Bassett: We support the live theatre industry in many ways. First of all, we have the \$800,000 commercial theatre development fund, which helps small productions to get going and produce right across the province. We've eliminated all property taxes for small theatres, those under 1,000 seats, and all property taxes for large publicly owned theatres, those over 1,000, and we've cut by half the property tax paid by large privately owned theatres. Also, our arm's-length Ontario Arts Council funds, to a large extent, theatre production, and we have kept the budget at \$25 million this year. We support live theatre in the province and we expect it to continue to grow.

BOARD OF INTERNAL ECONOMY DECISION

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Deputy Premier. Just so I understand clearly here, are you telling us that ministers Hodgson, Clement and Sterling, to your knowledge, never discussed this matter with the Premier, the cabinet or the caucus at any time?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): I don't know what these individuals have done. I know what I have done. I can't tell you what Mr Hodgson has done or what Mr Sterling has done or what Mr Clement has done. I suggest to you, I say quite seriously to the leader of the official opposition, if you want to know what conversations they have had, it's not within my purview of knowledge, and you should ask one of them.

Mr McGuinty: Minister, you were telling us that this came as a complete, total and absolute surprise to the entire caucus. Nobody knew what was brewing inside the Board of Internal Economy. These three ministers, plus your own parliamentary assistant, apparently acted independently of the rest of the government members. Is that what you would have us believe? Because that is simply incredible. It is beyond belief.

Nobody would believe that these four individual members of the government, including three cabinet ministers, on a matter that is obviously very controversial involving 600,000 taxpayer dollars, acted entirely and completely on their own. A renegade operation, acting entirely independently of the government: Is that honestly what you would have us believe, that these four members were acting entirely on their own?

Hon Mr Eves: That is not what I've said. There have obviously been reports about rumoured discussion of this matter in the media for many weeks now, so obviously anybody who's an observer or reader of the media knows that. They've heard it, they've seen it or they've read what

has been reported in the media. But I have not discussed this matter with any of the members that you have mentioned. I'm not a member of the Board of Internal Economy. I don't direct them as to how they act or don't act, how they vote or don't vote, what they decide or don't decide.

The Speaker: New question, leader of the third party.

Mr Howard Hampton (Rainy River): Again to the Deputy Premier: We're told today by the government House leader that the government members on the Board of Internal Economy sought the legal opinion of another lawyer. We're also told that this lawyer was paid for by the Conservative caucus. Now, Deputy Premier, if your members on the Board of Internal Economy are independent, why would they need the advice of a lawyer who in fact is retained by the Conservative caucus? It seems to me that any element of independence is wiped out there immediately because the lawyer works for the Conservative caucus.

Further, can you confirm these things, because they were told to us by the government House leader? Can you tell us, please, how any semblance of independence can be retained when the legal advice was in fact legal advice for the Conservative caucus? And can you tell us when that legal advice —

The Speaker: Thank you. Deputy Premier.

Hon Mr Eves: I don't know. If you want to know the answer to a statement that you allege or hypothecate has been made by the government House leader, you should ask the government House leader.

Mr Hampton: The government is creating literally a theatre of the absurd here. If legal counsel is retained by the government caucus, by the Conservative caucus, then that legal counsel is responsible to the Conservative caucus. That's who that legal counsel makes the report to. And if your government members then take that advice, it's pretty clear that they are not acting independently; they're acting at the behest and in the knowledge of the Conservative caucus.

We want to know two things: When was this legal advice discussed, when was this lawyer hired by the Conservative caucus, and will you produce this independent legal opinion that was retained by the Conservative caucus for the benefit of the Conservative members on the Board of Internal Economy? Show us the independence that you claim is there.

Hon Mr Eves: I don't know what you're talking about. If you want to ask the government House leader, ask the government House leader. I don't know how many lawyers over the years the NDP caucus has hired. I don't know who they are, how much you paid them or what you paid them for. Maybe you'd like to tell the public about that; I don't know. But I don't know what it has to do with the decision of the Board of Internal Economy under a Legislative Assembly budget. The Board of Internal Economy is responsible to the Legislative Assembly; the Speaker of the Legislative Assembly chairs the Board of Internal Economy.

ASSISTANCE TO FARMERS

Mr Doug Galt (Northumberland): My question is directed to the Minister of Agriculture, Food and Rural Affairs. Minister, farmers have hit on some pretty hard times at this point. A good example is the pork producers who rallied here last week. They're really being hit with very, very low prices. To add to that, there's a strike at Quality Meat Packers. This is one of the largest packers in Ontario and this is certainly adding a burden to it.

The Ontario government realizes that there is a need for a Canada-wide assistance program. Minister, can you tell the House and tell the people in my riding and the pork producers in Ontario the kind of discussions that you're having with your federal counterpart, Mr Vanclief, and what kind of relief package they're coming forward with?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): There is no doubt that agriculture and indeed the pork industry in particular are having serious problems, not only here in Ontario but across Canada, across North America and across Europe. I have been working to develop a program to assist our farmers, and this is urgent, particularly in view of the fact that Quality Meat Packers employees have gone on strike. Quality Meat Packers exports about 40% of their production to Asia and they process about 25% of the hogs that go to market in Ontario every week. That compounds a problem that was already very serious.

1500

The Premier and my cabinet colleagues have been meeting with the farmers of Ontario, particularly the representatives of the pork industry. We will be working very closely with the federal government, and I'm awaiting, hopefully this week, an outline of the program from my federal colleague so that we can step into the breach immediately and provide them with some financial help, which is urgently needed.

Mr Galt: Minister, hog farmers in Northumberland visited my office on December 4. They're certainly hit by these very low prices. They blame it, to some extent, on the Asian economic crisis.

Also, Minister, you will recall that back in August there was a very severe hailstorm that literally wiped out some 30 apple growers in Northumberland. We appreciated your visit at that time. Can you give me some assurance that the apple farmers in Northumberland —

Interjection.

The Speaker (Hon Chris Stockwell): Member for Hamilton Centre, please come to order. I'd like to hear the question.

Mr Gilles Pouliot (Lake Nipigon): McLean's a farmer. Big hat, no cattle. Where is the money?

The Speaker: Member for Lake Nipigon, when I stand up it doesn't mean to heckle. Please come to order. Member for Northumberland.

Mr Galt: Minister, what assurance can you give the apple farmers in Northumberland that they will indeed be

eligible for any compensation that might come through as a federal-provincial disaster relief package?

Hon Mr Villeneuve: I will certainly discuss this with my federal colleague, and that is why we support a whole farm program. The triggering effect — I am waiting for the program to be announced by the federal minister. We want to make sure this is not countervailable; that's why it's a whole farm program. We understand the need to act quickly.

There have been in parts of Ontario some very difficult situations for farmers this year, and we are in position as soon as my federal colleague announces. We are spending some \$75 million annually in safety nets, but that does not cover a situation like we've had this year where disaster conditions exist, particularly in the pork industry, where less than 60 cents a kilogram is being received by farmers for market hogs which cost them \$1.25 a kilo to produce. Yes, we are going to be there with an aid program as soon as we have a program from the federal government.

BOARD OF INTERNAL ECONOMY
DECISION

Mr Dalton McGuinty (Leader of the Opposition): My question is for the minister responsible for women's issues. We have been talking today about a very sensitive issue, a case of sexual harassment. You are the minister responsible for women's issues. Was your opinion ever sought or did you ever seek to comment to any member of the Board of Internal Economy regarding this particular matter, the Al McLean matter?

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): The answer is no.

Mr McGuinty: You are telling me, Minister, that there was a case of sexual harassment, an allegation made against a member of the government that was going to be the subject of discussion at the Board of Internal Economy, and you as the minister responsible for women's issues never sought at any time whatsoever to have some input to ensure that justice was done, to ensure that you carried out your responsibilities? Is that what you're telling me?

Hon Mrs Cunningham: In this case, I did not.

The Speaker (Hon Chris Stockwell): New question, leader of the third party.

Mr Howard Hampton (Rainy River): To the Deputy Premier: It's pretty clear now that the lawyer who worked for the Board of Internal Economy gave advice that this \$600,000 settlement should not be entered into —

Hon David Turnbull (Minister without Portfolio): On a point of order, Mr Speaker: It seems to me that yesterday you made a very clear ruling with respect to the appropriateness of questions regarding the Board of Internal Economy.

The Speaker: Your point of order?

Hon Mr Turnbull: It seems you have given great latitude. Either your ruling yesterday was valid — it seems to me —

The Speaker: Chief government whip, if you listen to the questions carefully, you'll find that they are in order. I've listened to each question very carefully and determined whether or not it's a public issue question. I've not allowed any questions to the Board of Internal Economy members, but I can't rule out of order a question about a public discussion in Ontario. We do it every day. Now, if they get specific and they don't have the general nature of the question in order, I would rule it out of order. It has not been out of order.

Leader of the third party.

Mr Hampton: It seems very clear now that the lawyer who worked for the Board of Internal Economy advised: "Don't spend this \$600,000. Don't pay the legal costs of Al McLean. Don't do this. There's no legal requirement that you do this." That legal advice was not followed. Instead, the legal advice of a lawyer who works for the Conservative caucus was followed. It is a lawyer who works for the Conservative caucus who recommends that \$600,000 of taxpayers' money be used to hush up a sex scandal.

Interjections.

The Speaker: Order. Have you finished? No? OK, leader of the third party.

Mr Hampton: Since that's the case, since it's really a lawyer who worked for the Conservative caucus who is determining that \$600,000 of taxpayers' money should go out the door to hush this up, will you make available that legal opinion so that the taxpayers of Ontario will understand who clearly ordered this money to be spent?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): I have no knowledge about a lawyer who was working for the Conservative caucus. But even if I did —

Interjections.

The Speaker: Member for Essex South, come to order. Member for Nickel Belt, come to order. Please.

Mr Wildman: Colonel Klink of the Tory caucus.

The Speaker: Member for Algoma. Deputy Premier.

Hon Mr Eves: If I did, I'm sure the leader of the third party would not want to share with me any advice that's ever been given to the NDP caucus by anybody who's come in to talk to you, advise you, work for you as a lawyer. What you do with your funds with respect to any advice you are given or your previous government was given has nothing to do with me. I don't want to know about it. I'm not entitled to know about it, and it works the other way as well.

Mr Hampton: Sir, you are the Deputy Premier of the province. It is frankly shameful that you come here with the attitude, "I know nothing, I see nothing, I hear nothing" and it's apparent you don't ask any questions either. You don't want to know what's going on. You don't want to know how \$600,000 of taxpayers' money is going out the door. You don't want to know who's accountable. You don't want to know the contents of that legal opinion that was given to the Conservative caucus and was paid for by the Conservative caucus. I don't think we've got three cabinet ministers here on the Board of Internal Economy. I think we've got three monkeys.

The Speaker: Order. I ask you to withdraw that.

Mr Hampton: Sorry, Speaker. I was insulting the monkeys.

The Speaker: Withdraw.

Interjections.

Mr Pouliot: What about "see no evil," Speaker?

The Speaker: Order.

Hon Mr Turnbull: Is that what you did?

The Speaker: Chief government whip, let me get this withdrawn, please.

That's unparliamentary and I ask you to withdraw it.

Mr Hampton: I withdraw.

Deputy Premier, it's very clear that the independent legal advice of the lawyer who worked for the Board of Internal Economy wasn't followed. Instead, it was the lawyer who works for the Conservative caucus whose advice was followed. It's their advice that has led to the expenditure of \$600,000 of taxpayers' money on something that no one agrees with. Will you produce that legal opinion so the people of Ontario can hold someone accountable?

Hon Mr Eves: I have no authority to produce a legal opinion, if there is one, of one that was done for the Conservative caucus, any more than any member of your caucus has the authority to release a legal opinion provided to your caucus or any member of your caucus, for that matter.

Mr Hampton: On a point of order, Speaker: Very simply, who's the lawyer? Where can we find him? Show us the report.

1510

MINISTER'S COMMENT

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): On a point of personal privilege, Speaker: I would like to apologize to the member for Ottawa West for an inappropriate remark I made earlier in question period today. I would like to withdraw that remark and I offer my sincere apology.

BOARD OF INTERNAL ECONOMY DECISION

Mr Bud Wildman (Algoma): On a point of order, Speaker: Earlier this afternoon, I raised a point of order related to standing order 105, and you said that you wanted to think about it. I understand that you might want to confer about it. Could you give me some indication as to when you might rule on that point?

The Speaker (Hon Chris Stockwell): You know what? There is no rush, actually. If I find I do have this power, then I will use it for the good of all.

PETITIONS

HOTEL DIEU HOSPITAL

Mr James J. Bradley (St Catharines): I have a petition that reads as follows. It's to the government of Ontario.

"Since the Hotel Dieu Hospital has played and continues to play a vital role in the delivery of health care services in St Catharines and the Niagara region; and

"Since Hotel Dieu has modified its role over the years as part of a rationalization of medical services in St Catharines and has assumed the position of a regional health care facility in such areas as kidney dialysis and oncology; and

"Since the Niagara region is experiencing underfunding in the health care field and requires more medical services and not fewer services; and

"Since Niagara residents are required at present to travel outside of the Niagara region to receive many specialized services that could be provided in city hospitals and thereby not require local patients to make difficult and inconvenient trips down our highways to other centres; and

"Since the population of the Niagara region is older than that in most areas of the province and more elderly people tend to require more hospital services;

"We, the undersigned, request that the government of Ontario keep the election commitment of Premier Mike Harris not to close hospitals in our province, and we call upon the Premier to reject any recommendation to close Hotel Dieu Hospital in St Catharines."

I affix my signature as I'm in complete agreement with this petition.

ADOPTION

Mr Alex Cullen (Ottawa West): I have a petition here signed by residents from the Dunnville-Welland area in support of legislation to reform access to adoption information. The petitioners are asking the Legislature to support that legislation which would allow access to birth registration and adoption records for adult adoptees, birth parents, adoptive parents and other relatives; implement a no-contact notice option; recommend optional counselling and offer access to other adoption information; also, acknowledge open adoptions.

I'm pleased to affix my signature to it.

LAND USE PLANNING

Mrs Brenda Elliott (Guelph): I have a petition here which reads as follows:

"We, the undersigned, ask the government of Ontario to take the opportunity to protect 15% to 20% of the Lands for Life area from logging, mining and hydro development, not the 6% to 8% being recommended;

"That you reject the round table recommendations to open 92.4% of public land for industrial uses.

"Lands are the legacy of our children and our children's children and must be protected now."

I submit this on their behalf.

EDUCATION FUNDING

Mrs Sandra Papatello (Windsor-Sandwich): This is a petition to the Legislative Assembly of Ontario.

"Whereas education is our future; and

"Whereas students and teachers will not allow their futures to be sacrificed for tax cuts; and

"Whereas students, parents and teachers will not allow the government to bankrupt Ontario's education system; and

"Whereas you cannot improve achievement by lowering standards; and

"Whereas parents, students, teachers want reinvestment in education rather than a reduction in funding; and

"Whereas students, parents and teachers won't back down;

"Whereas Ontario Liberal Leader Dalton McGuinty has pledged to repeal Bill 160;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly to withdraw Bill 160 immediately; and

"Further, be it resolved that the Legislative Assembly of Ontario instruct the Minister of Education and Training to do his homework and be a co-operative learner rather than imposing his solution which won't work for the students, parents and teachers of Ontario."

I'm happy to affix my signature.

ADOPTION

Mr Alex Cullen (Ottawa West): I have petitions here signed by residents in Ottawa, Orleans, Gloucester and Rockland.

"We, the undersigned, petition the Legislature of Ontario to enact revisions of the Child and Family Services Act and other acts to:

"Permit unrestricted access to full personal identifying birth information to adopted persons, adult children of adopted persons, birth parents, birth grandparents, siblings and other birth relatives when the adopted person reaches 18;

"Permit access to identifying information to adoptive parents of minor children, emancipated minor adoptees;

"Allow adopted persons and birth relatives to file notice stating their wish for non-contact;

"Replace mandatory reunion counselling with optional counselling;

"Permit access to agency and court files when original statistical information is insufficient for identification and contact with birth relatives; and

"Recognize open adoptions in the legislation."

I am pleased to affix my signature to it.

PALLIATIVE CARE

Mr Bob Wood (London South): I have a petition signed by 38 people.

"Whereas most Ontario residents do not have adequate access to effective palliative care in time of need;

"Whereas meeting the needs of Ontarians of all ages for relief of preventable pain and suffering, as well as the provision of emotional and spiritual support, should be a priority to our health care system;

"We, the undersigned, petition the Legislative Assembly of Ontario to resolve that a task force be appointed to develop a palliative care bill of rights that would ensure the best possible treatment, care, protection and support for Ontario citizens and their families in time of need.

"The task force should include palliative care experts in pain management, community palliative care and ethics in order to determine effective safeguards for the right to life and care of individuals who cannot or who can no longer decide issues of medical care for themselves.

"The appointed task force would provide interim reports to the government and the public and continue in existence to review the implementation of its recommendations."

PHYSIOTHERAPY SERVICES

Mr Michael Gravelle (Port Arthur): "To the Legislative Assembly of Ontario:

"Whereas as of April 1, 1999, G-code therapeutic physiotherapy services will not be covered by OHIP; and

"Whereas the only recourse for patients will be through hospital outpatient services that already face waiting lists of three to four months; and

"Whereas these same services are provided in other areas of the province through schedule 5 clinics, which are funded through a \$39-million allocation by the Ministry of Health; and

"Whereas of that \$39 million none has been allocated for northwestern Ontario; and

"Whereas if the delisting of G-code physiotherapy services goes forward because there are no schedule 5 clinics in northwestern Ontario, there is a real fear that a two-tier system for physiotherapy services will be the norm, that one system would accommodate those who have private insurance or enough money to pay out of pocket, while the other tier will be one where those in need wait for months on waiting lists while continuing to suffer; and

"Whereas as our population ages, those requiring physiotherapy will increase and without these services the strain on our medical system will only increase as people aggravate old injuries that were not properly treated through modern physiotherapy treatments; and

"Whereas the delisting of G-code physiotherapy services is further indication that there is a real erosion, by this government, of sound medical services in northwestern Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario to stop the planned fee schedule delisting of G-code therapeutic physiotherapy services and provide northwestern Ontario with a portion of the \$39-million Ministry of Health allocation for physiotherapy services."

I am very pleased to sign my name to this petition.

ADOPTION

Mr Alex Cullen (Ottawa West): I have a petition signed by residents of Alfred, Orleans, Stittsville, Renfrew and Arnprior with respect to adoption legislation reform.

"Whereas the Adoption Reform Coalition of Ontario (ARCO) brings together various organizations to recommend reform of Ontario adoption law based on honesty, openness and integrity;

"Whereas existing adoption secrecy legislation is outdated and unjust;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child, and these rights are denied to persons affected by secrecy provisions in adoption laws and the Child and Family Services Act and other acts in Ontario;

"Whereas 20% of persons in Ontario are directly or indirectly affected by restricted rights to personal information available to other citizens;

"Whereas the adopted person's right to his or her birth identity is rooted in a basic and fundamental human need;

"Whereas most birth parents did not ask for lifelong confidentiality, it was imposed upon them involuntarily;

"Whereas research shows that not knowing basic personal information has proven harmful to adopted persons, birth parents, adoptive parents and other birth relatives; and

"Whereas research in other countries has shown that unqualified access to information at adoption satisfies the overwhelming majority of the parties involved;

"We, the undersigned, petition the Legislature of Ontario to enact revisions of the Child and Family Services Act and other acts."

I affix my signature to it.

1520

MARRIAGE

Mr W. Leo Jordan (Lanark-Renfrew): I have a petition to the Legislative Assembly of Ontario.

"Whereas the majority of Ontarians understand the concept of marriage as only the voluntary union of a single, that is, unmarried, male and a single, that is, unmarried, female; and

"Whereas it is the duty of the Legislature to ensure that marriage as it has always been known and understood in Ontario be preserved and protected;

"We, the undersigned, petition the Legislature to use all possible legislative and administrative measures, including invoking section 33 of the Canadian Constitution, the

'notwithstanding' clause, to protect marriage in law so that marriage can only be entered into between a single male and a single female."

This is signed by over 50 constituents, and I add my signature.

VISITING SPECIALIST CLINICS

Mr Michael A. Brown (Algoma-Manitoulin): To the Legislative Assembly of Ontario:

"Whereas the objective of the visiting specialist clinic program is to provide specialty services in communities where the population base cannot afford a full-time specialist and where specialty services are established more than 40 kilometres away from those communities; and

"Whereas communities in Algoma-Manitoulin, including Espanola, Manitoulin Island, Elliot Lake, Blind River, Chapleau, Wawa, Hornepayne and Manitouwadge are situated great distances from the nearest established specialty services and travelling such distances poses undue hardship on people requiring these services; and

"Whereas the Ministry of Health has withdrawn funding for specialist support staff, seriously threatening the clinic program; and

"Whereas funding by the Ministry of Health for travel grants would far outweigh the costs to the ministry of providing support staff funding;

"We, the undersigned, petition the Legislative Assembly of Ontario to restore funding for support staff for the visiting specialist clinic program."

I agree with this petition and affix my signature.

ADOPTION

Mr Alex Cullen (Ottawa West): I have a petition here signed by residents of Nepean, Kanata and Brockville and I will simply summarize the petition.

The petitioners are calling upon the Legislature to support amendments to adoption information legislation. In particular, the petitioners are asking that such amendments would allow access to birth registration and adoption records for adult adoptees, birth parents, adoptive parents and other relatives; implement a no-contact notice option; recommend optional counselling; offer access to other adoption information; and acknowledge open adoptions.

I'm pleased to affix my signature to it.

REMEMBRANCE DAY

Mr Joseph N. Tascona (Simcoe Centre): I have a petition to the Parliament of Ontario which reads:

"Whereas it is important to honour the courageous memory and sacrifices of Canada's war dead and of our veterans who fought in defence of our national rights and freedoms;

"Whereas there is a need for succeeding generations of young, school-age Canadians to learn more about the true meaning of Remembrance Day;

"Whereas Ontario veterans' associations have created excellent educational materials for use in Ontario schools on the meaning and significance of Remembrance Day;

"Whereas a special Remembrance Day curriculum for all grades in Ontario's education system, developed on the basis of the programs by Ontario veterans' associations and involving their direct participation, would increase awareness of and appreciation for Canada's wartime sacrifices in the hearts and minds of all Ontario citizens;

"Therefore we, the undersigned, petition the Parliament of Ontario as follows:

"That the provincial Ministry of Education and Training ensure that a suitable Remembrance Day learning unit be included in the curriculum of all grades of Ontario's education system."

I support the petition and I affix my signature.

ELECTION CALL

Mr Pat Hoy (Essex-Kent): I have a petition to the Legislative Assembly.

"Whereas the current provincial government under Mike Harris has destroyed labour relations, gutted the WCB, caused rampant dependence on gambling, has contributed to mass homelessness and poverty while eroding our health care, educational and municipal institutions, we, the people of Chatham-Kent, are demanding that an election be called now, before the province is destroyed, morally, ethically and financially."

I affix my name to it.

ADOPTION

Mr Alex Cullen (Ottawa West): I have a petition here signed by the residents of Prescott, Kitchener, Port Elgin, Spencerville, Peterborough, Cardinal, Brockville and Ottawa. I will read the pertinent part.

"We, the undersigned, petition the Legislature of Ontario to enact revisions to the Child and Family Services Act and other acts to:

"Permit unrestricted access to full identifying birth information to adopted persons and adult children of adopted persons or unrestricted access to the amended birth certificate to birth parents, birth grandparents and siblings and other birth relatives when the adopted person reaches age 18;

"Permit unrestricted access to identifying information to adoptive parents of minor children, emancipated minor adoptees and individuals with legal guardianship of an adopted person in special circumstances;

"Allow adopted persons and birth relatives to file notice stating their wish for no contact;

"Replace mandatory reunion counselling with optional counselling;

"Permit access to agency and court files when original statistical information is insufficient for identification of birth or contact with birth relatives;

"Recognize open adoptions in its legislation."

I'm pleased to affix my signature to it.

PROTECTION OF TEMAGAMI

Mr Bert Johnson (Perth): I have a petition that reads: "We, the undersigned residents of the province of Ontario, draw the attention of the Legislative Assembly of Ontario to the following:

"That we believe it is important that the Temagami old-growth wilderness is not exploited and that we believe in protecting our natural heritage;

"Therefore, your petitioners request that Parliament take legislative measures which would prevent the sacrifice of the Temagami old-growth wilderness through short-term exploitation."

I'll sign it on behalf of the constituents.

MENTAL HEALTH SERVICES

Mr Michael Gravelle (Port Arthur): "To the Legislative Assembly of Ontario:

"Whereas proper mental health care is essential to all Ontarians; and

"Whereas mental health care is severely underfunded in northwestern Ontario; and

"Whereas the Health Services Restructuring Commission has called for the closure of the Lakehead Psychiatric Hospital with no replacement services in its place; and

"Whereas appropriate community mental health treatment is so lacking in northwestern Ontario that those who need treatment, support and rehabilitation are incarcerated in district jails; and

"Whereas the Ministry of Health has not delivered on its commitment to set up the Northwestern Ontario Mental Health Agency over one year after it promised to do so; and

"Whereas there is a dramatic shortage of psychiatrists in northwestern Ontario, to the point where the doctors are severely overworked; and

"Whereas the Ministry of Health promised a 12-bed adolescent treatment centre and has failed to deliver on that promise;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to commit those funds necessary to provide full and proper mental health care to those in need in northwestern Ontario and we call on the Minister of Health to cancel the closure of the Lakehead Psychiatric Hospital."

This is signed by people from the AIDS Committee of Thunder Bay. I'm grateful they sent it in and very pleased to add my name to this petition.

ORDERS OF THE DAY

CONCURRENCE IN SUPPLY

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): Speaker, I seek unanimous consent to

call orders 27 through 36 inclusive so that they may be moved and debated simultaneously.

The Acting Speaker (Ms Marilyn Churley): Is there unanimous consent? Agreed.

Hon Mr Villeneuve: I move concurrence in supply for the following ministries and offices:

Ministry of Health

Ministry of Municipal Affairs and Housing

Ministry of Education and Training

Office of the Premier

Ministry of Intergovernmental Affairs

Ministry of Agriculture, Food and Rural Affairs

Management Board Secretariat

Cabinet Office

Ministry of Community and Social Services

Ministry of Transportation

The Acting Speaker: Since you moved the motion, you now have the floor.

Hon Mr Villeneuve: My colleague from Northumberland will be participating in the debate, but this is simply an opening so that we have concurrence with the House to debate the supply motions simultaneously. I now relinquish the floor.

The Acting Speaker: I understand that I can't do it that way, that I now have to go in rotation, so we'll get back to you, unless there is unanimous consent, of course, if you'd like to ask for unanimous consent to share your time.

Hon Mr Villeneuve: In order to save time, I ask for unanimous consent to pass on to my colleague from Northumberland.

The Acting Speaker: Agreed? Agreed.

1530

Mr Doug Galt (Northumberland): Thank you very much, Madam Speaker, and thank you, Minister of Agriculture, Food and Rural Affairs, for arranging this rotation.

Speaking on concurrency, there's certainly a lot of good news in what's happening here in Ontario. It's just great in politics to be able to bring good news, because we have had so much bad news, particularly during the lost decade from 1985 to 1995, but in particular the five years of 1990 to 1995.

You'll recall the tremendous increase in net new jobs that has been occurring in the province, and November was no exception, with some 21,000 net new jobs in Ontario. That is following in the footsteps of the previous two months, where some 95,000 net new jobs came into play in the months of September and October. This 21,000 from the month of November brings the grand total in our province to 461,000 net new jobs since we took office back in June 1995. That's to be compared with the first five years of this decade, where we had a net job increase of minus 10,000, and I can assure you there was absolutely no reason for that; there should have been an increase. It was only due to the high taxes and the tremendous red tape, which were enough to drive jobs out of this country.

Mr David Christopherson (Hamilton Centre): Mulroney's high interest rates, Mulroney's free trade agreement.

The Acting Speaker: Member for Hamilton Centre, come to order.

Mr Galt: It's interesting to note that during that month with the 21,000 net new jobs, the unemployment here in Ontario dropped from 7% down to 6.9%, a real record low in this province for some time.

I have here an article from a local newspaper talking about some of the local statistics and what's been going on. Certainly the number of employment insurance recipients in the Cobourg-Port Hope area is significantly reduced during the month of November, and they also point out how the employment has increased. Bob Keating, a labour market information analyst with the Human Resources Department with the federal government, is from Peterborough, and he's talking about how people are now "plugging into the job search." I think that's kind of an interesting comment that he makes. It relates to the fact that they were seeing other people getting back to work and realized it was time for them to get back into it as well.

He goes on to point out that in our region — and it's interesting how the federal government measures unemployment in the region they look at — being Northumberland, Peterborough, Victoria-Haliburton and Muskoka, the unemployment rate actually edged up a wee bit during that period to 4.8%. It was at roughly 4.75%. However, it's interesting to note that a year ago it was at 8.5%, so during the year it has dropped a full four percentage points or has been almost cut in half. I think what's interesting, even though it came up just a hair, is the fact that it's now reasonably stable. It has come down and it's holding; it didn't just go down for a little spike and then bounce back up again.

It's also interesting to note that at the beginning of the month in Port Hope and Cobourg there were 1,267 people on unemployment, and now there are 1,250, a 1.3% drop, or 17 people. It also makes the point that unemployment in Ontario has dropped from 7% down to 6.9%, and at the same time it has also dropped across Canada. There's no question Ontario is once again the engine that is driving the country. We're back in the position that we had when we had a PC government in this province back in the 1970s and early 1980s, and Ontario is once again taking its position.

Mr Frank Mclash (Kenora): On a point of order, Madam Speaker: I don't believe we have a quorum in the House.

The Acting Speaker: Could you check and see if there's a quorum, please.

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: Member for Northumberland.

Mr Galt: I appreciate the opposition ensuring that we have a quorum present.

I wanted to relate for a few minutes to an article that really highlights Mr Martin, the federal Minister of Finance, and also an interview with Maurizio Bevilacqua. It says that what should happen from that finance committee is that Canadians deserve a cut of some \$3 billion in taxes. Does that sound familiar? It's certainly something we've had a platform on since back in 1994, when our platform first came out. It was obvious that the Liberals in this House in particular — both opposition parties, but particularly the Liberals — stood for increased taxes, charging more taxes; spend, borrow and tax. But their federal counterparts are finally starting to understand, now that they've balanced the budget — and it's obvious why they've balanced the budget. Because of the economic climate this government has brought to Ontario, more dollars have come in to their tax revenues and consequently they have the budget balanced.

They're saying that Canadians deserve a tax break. This is the chairman of the parliamentary finance committee, when they issued the report, a Liberal — amazing. It also goes on to say that Martin should kill a 3% surtax on Canadians who earn more than \$50,000 a year. What have we been hearing from the other side? "Oh, you're giving a tax break to your rich friends." What's being recommended in Ottawa? Take the 3% surtax off people with \$50,000 or more. Are they our rich friends or are they the Liberals' rich friends? It then goes on to talk about a 5% surtax on those making \$65,000 or more. Would those be classified as our rich friends? This is a Liberal government in Ottawa, first cousin to our provincial Liberals. This is what they're now recommending.

It goes on to say that these surtaxes were brought in as a temporary measure to fight the deficit. We all know that the Income Tax Act in the first place came in as a temporary measure, but that was many, many years ago and it looks like it's rather permanent now. So it's hard to trust when you bring in a temporary tax such as income tax — it was probably a Liberal government that brought that in many years ago.

The finance chair goes on to say that people want tax relief. We recognized that back in the early 1990s. This is what was being said across Ontario. That was why we designed our campaign and our platform based on that kind of thinking. The problem is that the federal Liberals governing Canada are about 10 years behind in recognizing what should be happening. They want to see some of this money returned to the pockets of the hard-working Canadians who have been working so hard to support the social programs we have.

It's interesting when you look at what the opposition critics and interest groups are saying. They're saying that more spending on health care is in order. The Liberal government has cut about \$6 billion from transfers just since 1996. We've experienced that here in the province of Ontario. One of the biggest problems we've had with our health program is handling this more than \$2-billion annual transfer cut that the federal Liberals have made to Ontario. However, I'm sure the people of Ontario, particularly the elderly, appreciate that we didn't cut our health

spending, like they did in Quebec. We've actually increased it. We came into office with it at \$17.4 billion, and now it's well over \$18.5 billion.

We recognized what the federal government was doing. When the Canada Health Act first came into place, they started out giving us 50-cent health care dollars. That's how they were going to support health care in the province of Ontario. Where has that evolved over time? It has dropped now to the point where, of each dollar spent in Ontario for health purposes, it's down to 7.6 cents; 7.6% of the Ontario health dollar is being supported by the federal government. If people want to know where the cuts have come in health care, the only cuts in health care in Ontario have come from the federal Liberals. There's no question; it's there in hard facts and figures. It's great that we've been able to have a tax cut, stimulate the economy and create the dollars coming in, in tax revenues, so we could increase the spending in health care.

1540

It's intriguing to look at some of the statistics that are coming out that are good news for the province of Ontario. As a matter of fact, the Ontario help wanted index is up some 0.7% in November, its highest level since August 1990.

Welfare: 17,000 people in November got off welfare, so now a total of 357,000 people off welfare since June 1995, and a lot of those people have well-paying jobs. They've gone through the workfare program, something which the opposition resisted, at least the NDP did. The Liberals came out with a platform that they were going to have a mandatory opportunity, but we still haven't figured out what that meant. Lyn McLeod didn't explain it to us, but their new leader, Dalton McGuinty, may be able to explain what a mandatory opportunity is.

Anyway, this is the number of people who are no longer a load on the taxpayers of Ontario but are out there earning and supporting this country, supporting Ontario, as a matter of fact doing a great job. They appreciate programs such as workfare so they can go out and prove themselves and get a recommendation from a supervisor. It's really good news when you see this kind of thing happening.

Ontario department store sales are up in October, an indication that there's confidence from business, confidence from the consumer. Ontario department store sales rose by 7.1% in October compared to a year ago, and up 8.2% annually from a year ago.

Ontario retail sales: strong in September, up 1.2%, and in the first nine months they're up a total of 9%. This list just goes on and on. It's so much good news.

Ontario auto sales: up in 1998. For September this year over September last year, sales are up 14.7%, and the average this year over last year is 8.2%. People in Ontario and in Canada very much enjoy their cars, and this is an indication of the economic growth in the province of Ontario.

If you want to see the kind of economic growth that has occurred in this province, just get your car out on the 401 and take a drive, particularly in the late evening, and

you'll see transport after transport on 401 carrying goods that people are purchasing in this province. There will be a dozen in a row, without a car in sight. These are transports moving goods that people are purchasing. Or go down to the railway track between Toronto and Montreal and see the number and the length of trains moving on that track, carrying goods for the people of Ontario, for the people of Canada, and also carrying goods being exported. Some 80% of the exports from Ontario go to the US, but a very large portion of those do go on rubber by transport.

The housing market has had a tremendous turnaround: in Toronto, up 1.1% in October, and 4.7% over 10 months. The Ontario urban area is up 11.3%. This list just goes on and on.

If we look at the non-residential building permits, they are up significantly, up this year some 30.6%, and that's after last year's increase of some 32.6%.

You move on in this list. Ontario manufacturing shipments are up some 3.7% in 1998 over the same period last year. Ontario exports are up. Ontario wholesale trades are up. The list goes on of good news here in the province of Ontario.

It's interesting, as we read that article that relates to the federal finance committee and think about what the problem is in our country. We've talked a lot about excess taxes and the problem with taxes. I'd like to use an example of a young Canadian working in Silicon Valley in California making \$100,000 Canadian, converted from American dollars. He was paying, for income tax and health insurance, \$15,000 Canadian. He was there for four years. He comes up north to work in Silicon Valley North in the Ottawa Valley area and he's still making his \$100,000 Canadian, but what is he paying in income tax? It's \$45,000. His income tax, by that move, went up a third of his salary, up \$30,000. And you ask, why is there a brain drain? Why is there a brain drain from Canada, from Ontario? It's because of taxes. It's the number one reason.

What do we hear from the federal government about our professional athletes? How are we going to keep them in Canada? How are we going to get the quality athletes who are going to win a few games, whether it be the Blue Jays or the Maple Leafs or whoever? The problem becomes taxes. The federal government is recognizing that and trying to address it, but that's only piecemealing it by looking at some special, expensive athletes. They need to look at taxes in general, and that is exactly what the finance committee is telling them and what a lot of federal Liberals are telling Mr Martin. We certainly hope he will pay attention to this.

Just some interesting statistics: A Canadian earning \$63,400 or more is taxed between 45% and 53%, depending, of course, on where you are in Canada, whereas an American does not face a 45% tax rate until their income becomes — now listen to this — \$263,750. That's when a 45% bracket would kick in, and ours is so much sooner.

The other suggestion that I mentioned a few minutes ago, this 3% surtax, another 5% surtax — they are doing

some very serious rethinking on what they're going to do with their income tax system, and it's very much in order that they do exactly that. They're saying to leave some money in the pockets of hard-working Canadians and hard-working Ontarians, and that's exactly what we've been saying for so long.

Just to take you back to farm country, I was raised on a dairy farm, worked with a veterinarian with a large number of animals. There was a common saying out there about looking after your livestock, and it applies to taxes very well: A good shepherd shears his sheep; he doesn't skin them. I'm afraid that the people of Ontario for the last 15 years or so have not been sheared; they have indeed been skinned by the kinds of taxes and the tax level we've had in the province of Ontario.

It's interesting also to observe, a little bit to the east, some of that campaign that went on. What won that campaign? It became a fight over the platform on the economy. It became a fight over who could create the greatest tax cut. It wasn't about the gimmies and the handouts; it was about the economy and stimulating jobs, stimulating the economy, giving some tax cuts and getting people back to work. That's what the people in Quebec voted for, and it was a real toss-up between the two about who could come up with the better one.

I've gone over some of these articles. I don't think there's any question that the federal government must look at the cuts they have created across this country to health care. If you want to talk about why provinces are having to restructure, why provinces are having to do something with hospitals and their closures, just have a look at the cuts of some \$6 billion in health care across this great nation of Canada; in Ontario over \$2 billion cut in health care.

It's time that the federal government returned some of the employment insurance dollars. How many billions do they need in reserve to maintain against a downturn in the economy? They're way, way beyond any reasonable bankroll to handle unemployment in the future.

When will the federal Minister of Agriculture, the Honourable Lyle Vanciel, recognize the disaster we have in this province with the hog farmers, with those who have had some disastrous drought experiences, with the apple farmers in my area? Some 30 apple farmers were literally wiped out because of a hailstorm, because of disaster.

When will the federal Liberals recognize the problem with the Young Offenders Act?

There are a lot of things that the federal government should be doing. I think they're on the right track with this report from the finance committee. There's no question they're recognizing what's been going on in Ontario, and I know that if they follow our example we'll go a long, long way in this great country of Canada.

Mr Sean G. Conway (Renfrew North): I want to speak this afternoon to the concurrences that have been moved by the Minister of Agriculture. I find it interesting that the previous speaker would, in his entirely predictable fashion, walk us through the evils and ills of the national

government and, quite frankly, the evils and ills of provincial governments in the province between 1985 and 1995.

Interjection.

Mr Conway: The lost decade, as the equally charming member for Huron opines.

1550

You know, I find it particularly interesting when this comes from the member for Northumberland. I really do have to control myself here, because I want to say, all of this from a man who spent most of those so-called 10 lost years swimming in the buttermilk of the Ontario public trough, and I don't think he complained very much. Of course, he's been out there in the —

Interjection.

Mr Conway: I'll tell you, Elmer Buchanan knows about your complaints — the knife in the chest.

Listen, I'm the last one to talk about anybody else in the public trough because I've spent my entire working life here under the conditions of five or six or seven general elections. I try to be mindful of the fact that, for good or for ill, I've spent 23½ years here as the member for Renfrew North. I don't hold myself out as some captain of industry. I'm always interested in hearing from people like the member from Humber, because unlike me, he's actually been out there in a different life, as the member from Muskoka has been, and I think it's an important perspective.

But I've got to tell you, to get these lectures from the member for Northumberland, who would have you believe that he was some kind of latter-day captain of industry is just a little hard to take. It's a little hard to take. Those 10 lost years are well reflected, I'm sure, on that fat, deluxe government pension he cashes every month. I doubt if he's discounting that and sending some of it back to the beleaguered public treasury of Ontario. I am not arguing for a moment —

Mr Gilles Pouliot (Lake Nipigon): Don't go there, Sean.

Mr Conway: I'm quite prepared to go there. I'm absolutely prepared to go there because I'm not disguising —

Mr Pouliot: You've been there.

The Acting Speaker: Order, please, member for Lake Nipigon.

Mr Conway: I'm not disguising for a moment who I am and what I've done for 23 years, and members of this House have every right to hold me to account for that. But to hear Galt up on this perpetual lecture about economy in public finances is a bit like Conway getting up and offering the virtues of silence in public speaking. I'd expect all of you to keel over in incredulity and laughter. It is a little hard to take, I say to the now absent member for Northumberland, that he can stand here as routinely and as automatically as he does to simply say how terrible it all is when, I want to say for the record, as I understand it, most of his working life was spent, I'm sure with distinction, in the veterinary service of governments, provincial and national. I just wanted to make that point because he really does excite me to that observation.

We're here today talking about concurrences and I want to take a moment later in these remarks to talk about health care and about energy, but I can't let the afternoon pass without saying something as one of the members of the assembly about the so-called McLean affair. I was home on the weekend, as most of my colleagues were. I have not been following the debate in the Board of Internal Economy, where I'm happy to say I spent two or three of the most unhappy years of my life as a government House leader. I've got to tell you, on the basis of that experience I find what my good friend from Parry Sound offered this afternoon just laughable. He's an honourable member, I have to believe him, but it certainly violates every moment of experience I ever had on that committee.

But I tell you, in Renfrew county this weekend more than a few people stopped me and said, "Are you serious? Do you people honestly think, given all of the dictates that you" — and they meant the collective — "have offered the taxpaying and consuming public of Ontario about changes in this and cuts in health care and 'Do more with less,' that Mr Speaker McLean should have his legal bills in the amount of hundreds of thousands of dollars and the damages that may have in fact ensued from inappropriate private behaviour paid for by the taxpayers of Ontario?"

I want to say very seriously to this House, we'd better, all of us, think very seriously about what we're asking the public of Ontario to endorse. I gather this afternoon the Board of Internal Economy, on a divided vote, with the government voting for the settlement and the opposition voting against the settlement, has in fact agreed to pay several hundreds of thousands of dollars to settle the McLean affair.

As one member, I object. I object strongly. I don't take any particular delight in grinding an axe against a colleague with whom I've served for 17 years. It's not easy, but I'm going to tell you, this is just not acceptable for this assembly. We're just not going to get away with it. The poor old Deputy Premier did as well as he could under terrible circumstances trying to advance the line today, but it's simply not going to wash.

Apparently this Board of Internal Economy retained as its legal counsel Neil Finkelstein. The member for Muskoka may know him. I remember when I minister of the crown, in a major case, a very significant case, retaining the services of Mr Finkelstein, and I'll tell you, I was very impressed by the work he did for Her Majesty's government, and that was 10 or 15 years ago.

Finkelstein apparently has advised the board that their liabilities were very minor, if any, and that nothing should be paid unless a judge ordered such a direction. I'm not a lawyer but I do know and respect Neil Finkelstein. If that's the advice he gave the board and the board chose not to accept that advice and went on its own, apparently, with some kind of private legal opinion having been tendered to the government members, and notwithstanding that we, in trust for all of the people of Ontario, are going to sign a cheque in the neighbourhood of \$500,000 to settle this case, let me tell you, it is over my protest. And I've got to believe it's got to be over the protest of a

majority of members representing all three parties in this assembly.

I can understand friends and colleagues wanting to assist with a legal defence fund. That's an entirely separate matter. These costs are significant. I was sued in this past year. I paid my own legal bills. They certainly weren't in the order of magnitude of the member for Simcoe East, but the idea that I would come here with that legal bill never crossed my mind. Well, it did cross my mind for a moment, but I certainly didn't come here to seek redress, and certainly not in the amounts we're now talking about.

I was in my constituency office yesterday, trying to explain to constituents why it is they've now got to pay a monthly copayment for a hospital bed. This is a copayment that's going to be \$1,500 or more a month; \$15,000, \$20,000 annually. It was not a very easy matter. Can you imagine having to explain that on the one hand, and then say to a citizen, "Oh, by the way, yes, we did vote an appropriation of nearly half a million dollars to settle the McLean affair, notwithstanding strong legal advice not to do it."

I don't minimize the Finkelstein opinion. Like the member for Parry Sound, I'm not privy to the negotiations at the table. I was not there, but my colleague Gerretsen tells me that in fact the Finkelstein opinion is very clear, and we ignored it. Let me say, I want an opportunity before this session adjourns at Christmas to stand in my place and vote no to that appropriation. I just simply do not intend to go home and tell people that we let this pass on the nod.

What a double standard. I just can't believe that my Conservative friends are going to want to say, on the one hand, "We are going out from Attawapiskat to Aurora to root out welfare fraud; we are going to leave no stone unturned to get at every single cent of misappropriated social service support payments or health insurance payments that were not properly made," and on the other hand they are going to say, "Ready, aye ready," to a \$500,000 appropriation of the people's money in 1998 to settle the McLean affair. It is a double standard that is transparent and cannot and will not stand.

I simply ask honourable members on all sides to think seriously about what we're asking the assembly and the broad community to accept. Again I make the point that there is very strong legal advice that's been tendered to the board not to do this.

1600

I want to turn now to health care. Yesterday, I was driving from the Boeing plant in Arnprior, where I had a visit with some of the senior management about the situation which that very significant employer in the upper Ottawa Valley now faces.

Let me say I appreciate the efforts of Premier Harris, Minister Manley and Mr Buzz Hargrove from the CAW who went to the Pacific Northwest to make the case for the thousands of people in Ontario who work at Boeing plants. My friend Jordan from Lanark-Renfrew is not here, but I know he'd want to join me in this. Almost 800

of those people — 790 approximately — work at the first-rate, first-class Boeing plant in the town of Arnprior. Many of the people I represent up the line, as we say in the Ottawa Valley, work at that plant in Arnprior. I believe it's the largest public sector employer in the county of Renfrew — a very good production facility, very good people. They are concerned about what may happen to their jobs and to the communities of Arnprior, Braeside, McNab, Renfrew and the entire Ottawa Valley. So I certainly appreciate the efforts that were made on a tripartite level yesterday by the three gentlemen I mentioned. We're very hopeful that the very strong advantages we have in places like Arnprior and Toronto and Winnipeg will see us through a very difficult time.

In driving down from Arnprior to Toronto yesterday, I was struck by the reports out of the coroner's inquest into the tragic death of young Kyle Martyn earlier this year at the Credit Valley Hospital out in Mississauga. You will know, and the Toronto papers report today, the testimony of Dr Tim Rutledge, the head of emergency medicine at the North York General Hospital. I have before me the Toronto Star article which quotes Dr Rutledge's testimony to that coroner's inquest. I was even more struck by what I think CBC radio news reported late yesterday afternoon. As I understand it, Dr Rutledge made a very powerful argument to that coroner's inquest that basically said there is real trouble on the front lines of hospital care, health care in the Metro Toronto area, because \$800 million has been stripped out of the hospital budget, with no one making those cuts understanding what the impacts would be in hospitals like Credit Valley and so many others.

I again want to stand here on behalf of my constituents in Renfrew North who would want to say to me today, "Conway, tell Minister Witmer, tell Mike Harris that these cuts to our hospitals and our long-term-care facilities and our home care programs are having a real and negative effect." The government of Ontario has ordered some changes to the way in which we provide home care. I don't know about other members but I know my friend from Glengarry is here. He's got to be getting the calls I'm getting. I have had more calls from constituents and their families in the last two or three months about what is going on with home care. I have made a number of visits myself to talk to elderly people.

One woman whose name I will not mention called me. She is a person in her late 60s. She lives in a small community in my constituency. She has spent a lot of time and money making her home compatible with the fact that she's now got MS. She wants to stay at home, is determined to stay at home, but she's just been told in recent weeks that the amount of home care she's been receiving is going to be reduced by something like 80%. She's quite prepared to accept less, but she said to me, "How is it possible that I am going to be able to stay here safely and, for example, bathe myself if I don't get some assistance?" Of course MS is a chronic disease. Her condition is not likely going to get better; it's going to get worse.

This is a woman who doesn't want the government throwing its money around, understands that there are

pressures in the system, but says: "What am I supposed to do? I've spent money renovating this house. I've got my friends and my neighbours helping, but there is only so much that we can do." She said specifically, "I need someone here at least once a day to help me take a bath because I simply can't get in and out of that bathtub without assistance, and if I fall, my health status is going to deteriorate sharply."

I saw myself sitting there, just listening to this and saying, "What's wrong with this picture?" Remember when we said, all of us have said it, in government and in opposition: "We support deinstitutionalization. We want people to the greatest extent possible cared for at home." I accept that argument, but we've got to be prepared to make the investments to make that possible.

That case that I've cited is one of several. To be sure, there are abuses, and I don't deny that, but I'm telling you, I'm just seeing too much in the last three, four or five months to make me feel very comfortable that we're implementing whatever these new changes are to a positive extent.

Let me just say as well, we are also closing down most of the psych hospitals in this province. What I'm hearing now from police officers — and I'm talking about the rural, small town, Ottawa Valley — what I'm hearing from police forces, what I'm hearing from the men and women who run our long-term-care facilities, what I hear hospital administrators tell me is: "Do you understand, Conway, where these people are going? You're closing down the hospitals."

In fact, one of the long-term-care facility directors said to me the other day, "You know, last year this person was being supported to the tune of something like \$700 a day in a provincially run psych hospital and now that person's supposed to be provided for at \$50 or \$60 a day in some other kind of facility." That's a pretty dramatic expectation.

I just simply wanted to take this afternoon's opportunity on concurrence for the estimates of the Ministry of Health to say that we are cutting very, very deeply in this system. When I hear people like Tim Rutledge, the head of emergency medicine at the North York General Hospital, saying what he said yesterday to that coroner's inquest, I pay particular attention. That's not some caterwauling opposition politician standing up at Queen's Park or in Parliament. This is a professional medical man who knows this business far better than I, and his report from the front lines of metropolitan Toronto in 1998 is a deeply troubling report. I think we are duty bound to listen to that.

My final observation about health care has to do with cancer. This fall, I spent some time visiting the cancer clinics in Ottawa, Sudbury and Kingston. I must say I was very excited by what I saw and what I heard, but I'm going to tell you, those men and women who provide cancer care in the Minister of Agriculture's part of the world and mine are telling me that the pressures are building to a very substantial degree.

You know the statistics. The annual growth in cancer in this province is now running at 3%; 45,000 new cancer

diagnoses annually in Ontario. Some 23,000 Ontarians will die this year because of cancer and we are not allocating the kind of resources that the cancer threat poses to people in this province.

We've heard colleagues on all sides talk about radiation therapy and the unacceptably long waits that many people have. When I went to Ottawa, I was hearing from Dr Bill Evans and others about the problems in getting specialists, getting the oncologists, getting the radiation therapists and keeping them. I was hearing, for example, the problems in getting government funding approved for the new anti-cancer drugs that are being developed, that are particularly important to people from Moose Creek and Beachburg who have to drive an hour or two into the cancer facility in a community like Ottawa.

Good work but mounting pressures and cancer care deserves more attention and more resources —

The Acting Speaker: Thank you. Further debate.

Ms Shelley Martel (Sudbury East): It's a pleasure this afternoon to participate in the concurrences for a number of ministries that are before us. I want to speak particularly to the estimates for the Ministry of Health and raise two cases that involve announcements that were made by the government a number of months ago which finally we have seen some result to but which in the case of the communities I represent will do nothing for those communities, which is most regrettable, having waited so long for the much-announced government funding to actually flow; and in the second case, two other health care issues which involve applications before the Ministry of Health that have been pending for many, many months now that would actually go some long way to improving health care in the communities that I represent. Today, those communities still have had no response from the Ministry of Health regarding those very same applications.

1610

The first case has to do with the announcement the government made on November 24 with respect to nurse practitioners. You will recall that in the May budget this government announced that it would spend some \$5 million to enhance the role of nurse practitioners in the province. This followed from at least a year, if not an 18-month delay in actually having this whole assembly pass a piece of legislation which defined the scope of practice for nurse practitioners but failed in any way, shape or form to put in a funding mechanism to allow those very same nurse practitioners to work in this province.

Imagine that the government would allow a piece of legislation to go through, even though the opposition had raised their concerns, which allowed people to practise but did not put in the funding mechanism to pay for them to do so. As a result, we are seeing dozens and dozens of nurse practitioners graduating in Ontario with no way to work because the government has not put in place a mechanism to pay them.

Finally, six long months after the announcement being made in the budget, the government releases the details of

the \$5 million it has set aside to enhance the role of nurse practitioners. I, of course, was very eager to see this release because I have at least a dozen nurse practitioners in the Sudbury area alone who have graduated, who want to work, and only one has been able to find employment, in an aboriginal health centre because there was funding for her position there. So I read the ministry press release from November 24, which says very clearly, "This funding support enables a number of agencies to hire" — that's the key word — "over 120 nurse practitioners."

I looked to see where we are going to be able to hire in Sudbury, because I think if we're hiring 120, goodness, the regional municipality of Sudbury is going to get perhaps one or two. Isn't it much to my surprise that when I go through the release, I find that in actual fact, with respect to money flowing to community health centres, only 22 new nurse practitioners are going to be hired at a number of community health centres across the province. The balance of the funds for those community health centres is going to upgrade the money for nurse practitioners who are already there. Goodness knows they are entitled to that, but what I find offensive is the ministry press release, which is completely incorrect, suggesting that 120 new bodies are going to be out there providing health care.

What we discover is that in fact in the community health centres across the province, only 22 new nurse practitioners are going to be hired; and in the nursing stations in northern Ontario, only three new nurse practitioners are going to be hired. So at the end of the day, when you cut through all the nonsense in the Ministry of Health press release, you find that of the 120 supposedly new positions, in reality there are only 25. From the part of the world that I represent, where there are some 26 underserved areas for health care, only six nurse practitioners are going to be able to be hired anywhere across northern Ontario, despite our serious health care needs in northern Ontario.

The whole release was completely misleading. It was a shame the government did that after announcing and reannouncing several times that there would be \$5 million and that 120 new nurse practitioners would be hired.

As a consequence of this release and the fact that only six nurse practitioners will be hired in northern Ontario, we have 26 other communities in northern Ontario that continue to be underserved for health care, that will not benefit one cent from this announcement.

What is worse still is that the ministry, in the same release, announced that the 10 aboriginal health centres in the province were also going to receive some funding from this pot. The shame of it again is that according to the press release there are absolutely no details of how much money will be allocated to the aboriginal health centres for this initiative, when the money will be allocated, and whether there will be new nurse practitioners hired into the aboriginal health centres or whether the people who are already there will see a bump-up in their pay. I am very disturbed that the government would make such an announcement saying categorically that 120 new nurse

practitioners will be hired when in fact only 25 will be hired.

The second thing that concerns me is that the government rejected completely a suggestion made by members of our party and a number of nurse practitioners in northern Ontario to establish what they called a set-aside fund specifically to be used in underserved communities, many of which don't have a community health centre or a nursing station and so cannot benefit. The idea of the set-aside fund was to have a pool of money that physicians could draw on to pay the salary of a nurse practitioner who wanted to work in his or her clinic in an underserved area. Had the government adopted that approach, then 26 underserved communities in northern Ontario would have actually benefited by this announcement.

I know that in my community a number of the nurse practitioners are volunteering in any number of physicians' offices now because they have to keep up their skill level in order to maintain their licence. They would have been in a position, if this government had listened and had followed through, to be paid and to provide much-needed health care to many, many residents who live in those 26 underserved communities in northern Ontario.

The underserved communities in my riding were also hit a second time in terms of being shut out totally from a government announcement that was made two days later, on November 26. I have a number of communities in my riding which have been designated underserved for health care for some time now, and despite the very best recruitment efforts of the mayors and the council people and a number of community members, they have never been able to be in a position where they are staffed up to full complement.

The Minister of Health announced a new initiative in conjunction with the Ontario Medical Association on November 26, a new program, a very substantial financial incentive, financial compensation, for physicians to go to 20 specific areas in northern Ontario. Those 20 areas are listed in the press release. The financial compensation package is very substantial indeed. It offers an increase in pay for a physician going to one of those communities — 20% above the provincial average — \$60,000 to deal with office expenditures, the ability to have a locum come into that practice for some 37 days if that physician wants to get educational leave, benefits around maternity care etc.

I hope this package will help those 20 communities, but what has happened is that underserved communities in my riding, specifically Capreol, Nickel Centre and Valley East, are specifically excluded from benefiting from this package. They are specifically excluded from approaching physicians to encourage them to apply, to encourage them to come to their communities. There are only 20 communities that the ministry is allowing this particular financial compensation to be applied to. So I ask you, what are the communities in my riding to do? How are they now supposed to go out and try to encourage physicians to come to their communities when in 20 other communities in northern Ontario the benefit package, the financial compensation package, will be so much better?

There is no doubt that a number of the communities that are on the list of 20 have also been underserved for a long time. I wish them well. For the sake of their residents, who need health care like everyone else in the province, I hope the scheme works. But what I resent is that the government would put in place a program that divides those underserved area communities in northern Ontario, that specifically allows a certain class of underserved area communities to try and recruit physicians under this scheme and excludes the rest.

1620

What I specifically resent is that the pool of money which will be used to fund these compensation packages in these 20 underserved areas is the same pool of \$36.4 million that the minister announced, I believe, at least 18 months ago as money to be used to try and recruit and retain physicians in all underserved areas of the province. This was a specific three-year agreement signed with the OMA to try and deal with the dilemma in those communities. Now we have the situation that a pool of money that should be eligible to all communities that are underserved for health care will clearly be used to benefit a small, select group of northern communities.

Again, I wish them well. Many of my colleagues represent those same communities. I know they have a need, but I also know that residents in the underserved areas in my communities have a need too. It will be absolutely impossible for the mayors and the councils and interested community members in the three underserved areas in my riding to now go out and try and recruit because no one will want to come to our communities when they could go one of those other 20 communities and get a much better financial package.

I say to the Minister of Health, in order to stop the kind of confrontation we're going to have, in order to get away from that discrepancy, that discrimination immediately, this plan must be opened up to all underserved areas in the province so that no one community has a distinct advantage in terms of recruitment over another with the same taxpayer dollar, with the same pot of money — \$36.4 million — that was supposed to be used to benefit all underserved area communities.

I continue to be very concerned that this government, as one of its first actions when it arrived, decided to freeze the budget for the community health centre programs. I say that because we in the Sudbury region have been a direct beneficiary of a community health centre that opened up in the last four years, that is providing excellent, high-quality community based care to residents in the city of Sudbury and residents in Valley East and Rayside-Balfour.

The French community health centre has had an excellent track record of being able to recruit physicians as well — that's another reason why this program is so important — because the physicians who came want to work in a group setting with other health care professionals and want to work on salary. That is the environment in which they are comfortable working.

We have seen that while the community health centre, Centre de santé communautaire, in Sudbury was funded by our government, one of the first things that this government did was to shut down any possibility of further expansion of that clinic or, indeed, any other community health centre across the province. The program budget has been frozen.

So what we've seen is that in two communities in the Sudbury region that are underserved that have been able to recruit physicians to this program, the government continues to maintain the freeze on the community health centre program.

I know that the French community health centre now has a request in for \$1 million to this ministry. It's been in for months now. If it could be approved, they could continue to fully operate the two satellite health care clinics that they offer, one in Valley East, one in Rayside-Balfour.

They have continuously been met by silence when asking this government to take the freeze off this budget, to expand the service. They know they're providing good health care and they also know they've been able to deal with a very serious problem of recruitment and retention through this effort. We have heard nothing from the government.

I have a second set of communities in the east and south part of the riding, in what is called Sudbury District East, in an area of probably several thousand people, probably close to 8,000, where there are only two physicians, who do not provide primary care even for the entire week. For the entire weekend, including Monday, the residents in that part of the riding, if they need primary health care, have to drive 100 kilometres to Sudbury in order to see a doctor, in order to go to emergency.

They also last year put in a proposal to establish a community health clinic in that part of the riding, a bilingual service to provide service to people close to home. They have been completely shut out by this government. I attended a meeting with the assistant deputy minister and a number of members of the community who were interested, who have worked years to put this forward. I attended a meeting with them on October 5, and we were very clearly told that the government has no intention — except perhaps in the next budget; who will know? — at this time of opening up this program and providing primary care services to people who desperately need them in this part of the riding.

I think that's a shame because for a government that talks about how they want to change health care, how they want to involve more health care professionals, how they want to involve nurse practitioners, how they want to deal with the serious issue of recruitment and retention in underserved areas, this underserved area has been completely shut out of any possibility of getting any kind of primary care. There is no other program for them to apply to. That was confirmed to us by the Ministry of Health officials who were at the meeting. This is the only one where they have some chance of actually getting primary care in the community.

It is high time the government reversed the terrible decision it made in the first case to ever freeze this program and allow for funds to flow again so that community health centres that are in place can be expanded, as in the French community health centre in Sudbury district, and that new ones can be set up, as are needed in Sudbury East district.

Finally, on Friday morning I had an opportunity to meet with some of the staff who work at the Sudbury eating disorders clinic, administered by the Sudbury Regional Hospital. This is a clinic that provides specialized, interdisciplinary, outpatient care to adults and families who are suffering from eating disorders. It has been in existence for eight years in the Sudbury region and has a phenomenal track record of dealing with adult sufferers of eating disorders and their families, eating disorders like anorexia and others.

It came to my attention, though, earlier last week that not only in Sudbury but nowhere in northern Ontario are we able to provide the same kind of specialized, outpatient, interdisciplinary care to children under 16. Nowhere in northern Ontario can kids who are suffering from eating disorders get this kind of care. The clinic has had a proposal in to the Ministry of Health since January 1998 to expand the services it's delivering now to include children and youth under 16. They know there is a phenomenal need for this service, not only in the Sudbury region but in the Sudbury-Manitoulin district and throughout northeastern Ontario. They have had, in the last number of months alone, 50 physicians, 50 parents of children who are suffering from eating disorders who have called the clinic begging the clinic to help, to take their children on, even though they know that the clinic has no mandate and no funding to do so.

We had a parent who came to the press conference on Friday afternoon for whom, because the situation was so desperate, the clinic did agree to treat her daughter, who said: "Were it not for that, I do not know where our family would be today. There are no services anywhere in northern Ontario. I do not know what we would have done had they not been so good as to take us in our time of desperate need and provide outpatient services to my daughter until she turned age 16. Now she's over the age of 16 she can qualify for the adult program."

I say it is unacceptable that since January 1998 this clinic has received absolutely no response, no reply, nothing from the Ministry of Health to their request to expand services to deal with children. It would be the only clinic providing these services to children anywhere in the north. Surely a request for \$419,000 is not too much for the ministry to consider, especially in light of the some \$43 million that this government has spent on partisan political advertising in this province in the last number of months to convince people that the education and health care systems are OK.

I say to the government, there are needs out there that must be met. You have made announcements which have specifically pitted underserved areas and communities against one another. It's time to revisit these issues. It's

time to fund and put the money where it is needed in northern Ontario.

1630

Mr Frank Klees (York-Mackenzie): I'm pleased to participate in this debate on concurrences on estimates put forward by the Minister of Finance. I too would like to focus on the issues of health care and social services. I do so because certainly, based on discussions that I have in my constituency with individuals who share their thoughts with me as to their priorities and what Ontarians believe to be important to them as Ontarians, there is no doubt that health care is very much at the top of that list. They're very concerned about the quality of life that we as Ontarians enjoy.

The Acting Speaker: Take your seat a moment. Point of order, member for Kenora.

Mr Michlash: Madam Speaker, I don't believe we have a quorum present in the House.

The Acting Speaker: Clerk, could you check for a quorum, please.

Clerk Assistant: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: Member for York-Mackenzie.

Mr Klees: Thank you, Speaker. I want to say to the member who asked for that quorum call that I'm sure my mother will be very disappointed that my time was cut into as a result of that. I'll try to make up for that.

As I was saying, I will be addressing the issue of health care because Ontarians hold very dear the level of health care that they enjoy. In fact, I believe that in this province we have come to take for granted a system of health care that is without doubt the finest in the world. We have people who travel the world come back to this province, and those who have had the opportunity to experience health care and social services in other parts of the world, even throughout the United States, come back to Ontario and, I might say, other parts of Canada where services are not as readily available, where services are not as accessible as they are in this province. We have much to be thankful for.

I believe one of the things that people in this province are thankful for is that they have had a government over the last three and a half years that has taken the necessary steps to implement a system of fiscal responsibility that will ensure the sustainability of that health care system, of the social services to which we have become accustomed. Clearly, when we were elected more than three and a half years ago, this province was on a very dangerous track. The deficit was approaching almost \$12 billion and that, as viewers will know, as those who elected us know full well, meant that we in this province were spending some \$1 million per hour more than we were taking in. Anyone who does a family budget knows that you cannot sustain that kind of fiscal irresponsibility. The results come home to roost.

In 1975, which was the first time I ran for public office in this province, I recall the briefing book that was given to me at that time and it referred to the total budget of

Ontario. All in — this was health care, social services, education, everything that this province did — in 1975 the cost was \$10 billion. When we were on the campaign trail in June 1995, the briefing binder that I received that referred to the interest alone on the debt of this province was some \$10 billion. In a very short space of time, from 1975 to 1995, the entire budget of the province of Ontario in 1975 of \$10 billion was now \$10 billion just to pay the debt.

If we were to have continued down that road, not only would health care have been undermined, not only would education have been undermined and we couldn't afford any more to build the schools, to build the hospitals, but every other service that this government was delivering to the people of Ontario, that the people of Ontario felt was so important, would have been threatened. So we put in place a reform system in this province that is now beginning to bring rewards to the people of Ontario.

I found it interesting, in a November 23 issue of the *Globe and Mail* the headline reads: "Economy expected to grow faster than any G7 nation." The subheading reads: "From tax cuts and incentives to developing a more skilled force, Ontario is taking action to position the province for economic growth well into the next century." It goes on to say: "Ontario's efforts to improve its business climate are paying off in jobs with the province now leading the nation in job growth."

A great article which just simply reaffirms the fact that the steps we've taken in this province over the last number of years are beginning to pay off — beginning to pay off in the economy, where to people it means security, hope and confidence for the future. There is nothing that this government could provide that is more important than a sense of confidence and hope for the future to the families of this province, the certainty that the jobs are there for them. There's nothing that we can do that is of greater importance to those in poverty in this province than to hold out the hope to them that there will be a job for them, that there will be jobs for their children when they graduate from our schools and our universities.

Let me say that the effect of that fiscal responsibility is directly felt within our health care system. I was pleased this past week to have been able to announce in my riding in the town of Newmarket, in the region of York, that this government will be establishing in York County Hospital a regional cardiac care centre. That has never happened before. In fact, in the words of the president of that hospital, "York County Hospital will never be the same." It was heralded by those on the medical staff, the administrative staff and by the community at large as an event momentous to the region of York. Not only will that hospital not be the same but the entire region will not be the same because, for the first time, as a result of this announcement, people will not have to travel to Toronto for their cardiac care. People will be able to get services close to home, where those services should be delivered.

As a result of this announcement, there will be services such as cardiac surgery, cardiac catheterization, coronary angioplasty, coronary stents, pacemakers and implantable

defibrillators available, not in Toronto, not after two or three hours of travel, not after a great complexity of process, but available to the people in York region in a hospital that they can access readily.

Why do I mention this? Because we hear so much said about the negative aspects of the decisions of reform that have been taken by this government. I was pleased to be able to announce in my riding, in Newmarket, the results of that very careful undertaking of reform in our health care system. It's true that while we go through that restructuring there are pains, and particularly to those who are involved in that process directly, the jobs that are affected, the immediate organization that's affected. But that is the very reason that people sent us to Queen's Park, so that we would make those decisions that would benefit the people of Ontario in the long term.

1640

It would have been much easier not to do that. It would have been much easier to do what other governments in the past have done, and that is to succumb to immediate pressure by the lobby groups, to say, "Don't make any changes. We don't like changes. Leave things as they are," and continue to tinker with the system. The result of that would have been that we would continue to have a system that was continually being undermined through lack of funding and inefficiencies. We took those tough decisions, made the decision to restructure, and as a result, progressively, we are able to make announcements in communities that will benefit the people of Ontario for many years to come.

I also want to say to you that our health care system responds to the people who have needs in our province. It is not a perfect system, but when there is a need, the system responds and the people within that system are working to ensure that there is a response.

I had the great privilege this past week of being involved in bringing a young lady back to Ontario from British Columbia. This young lady had a riding accident. She fell off a horse and went into a coma and was in a coma for five months. Her parents were desperately trying to bring this young girl back to Ontario so that they could be close to her and could care for her.

It's an expensive process to be able to airlift someone like that, and the care that has to be given throughout that process makes it very difficult. To the credit of the community who rallied around this family, who were prepared to support this family through fundraising, the signal was given to the parents that whatever it would cost, the community was prepared to rally to their support. The parents were advised that through a set of circumstances we could bring Tammy back to Ontario, but we needed a bed on very short notice; in fact, within 24 hours. The parents had been attempting to arrange accommodation for Tammy for some time with no success.

I had the privilege of becoming involved and contacting the president of the York County Hospital, Mr Dan Carriere. I explained the circumstances to him. He recognized the urgency of the matter, recognized the time frame that had already been involved, and through his inter-

vention and the intervention of his staff we were able to accommodate bringing Tammy back. Within 24 hours a bed was made available to her. I'm pleased to report that she is now in Ontario, that she is at York County Hospital, close to her family. She's home for Christmas. To the credit of the people involved in our health care system, that was done. We look forward to finding a permanent placement for Tammy to meet her needs as she recovers from her situation.

Yes, it's true the system is not perfect, but we have taken and continue to take the necessary steps to ensure that the underpinnings are there, to ensure that the quality health care that we have enjoyed in this province for years will continue to improve.

I also want to say that in the area of social services, as a government we have taken the responsible initiatives. One of the commitments we made to the people of Ontario in 1995 was that we would reform the welfare system to ensure that we return it to a temporary measure to help people transition from welfare to a paying job. The best thing we can do for someone on welfare is to help them find a job. The best thing we can do for those who are able-bodied and have the ability to work is to give them a helping hand, to provide them with some training, to provide them with the opportunity to integrate back into the community, into the workforce. We have done that.

Mr Christopherson: Workfare is forced labour.

The Acting Speaker (Mr Gilles E. Morin): Member for Hamilton Centre.

Mr Klees: I hear members opposite from the NDP referring to workfare as forced labour. Little do they know, and it's unfortunate they have lost touch with reality, that people on welfare want to work. They don't have to be forced. Unfortunately, the ignorance under which they continue to carry on their policy program is that people on welfare are somehow lazy. Well, I have news for them: They're not. What they want to do is work. They want to have the opportunity to be self-sufficient. They want the opportunity to give their children hope —

Mr Christopherson: Defend cutting their income by 22%. Defend that.

The Acting Speaker: Member for Hamilton Centre.

Mr Klees: — to show them that their parents are gainfully employed.

Mr Christopherson: Defend cutting the poor —

The Acting Speaker: Order. The member for Hamilton Centre, can you hear me?

Mr Christopherson: Yes, I can.

The Acting Speaker: Thank you.

Mr Klees: Thank you, Speaker. For some reason, the party opposite, the NDP, takes the position, and continues to do so, that the people on welfare in this province resent the progressive reforms that this government has brought in to help them become sufficient, to help them find a job. We call it workfare. The reason we call it workfare is that people are given an opportunity to work, contrary to what members opposite suggest to you, that somehow we're trying to force people to do something. It's simply an ignorance on their part. They have yet to be in touch with

those people so they can personally hear that what they want is an opportunity to work, they want an opportunity to train, they want an opportunity to become involved in the community, and that is what the Ontario Works program is doing in Ontario.

In York region alone, the most recent reports are that another 17,000 people left the system province-wide. Some 357,000 people are off the welfare rolls today compared to 1995.

Mr Pouliot: Some are homeless.

Mr Klees: The member opposite says they're homeless, and he says so tongue in cheek. He knows much better. These people who were potentially homeless now have a home because they are self-sufficient; they have the ability to earn an income. They're not dependent on a bureaucracy. They're not dependent on government. They are self-dependent.

That is the big difference between the philosophy of the NDP, the philosophy of the Liberals, who, by the way, are clearly sending the message to the people of this province that if they were elected, they would do away with welfare. They would return to the old system of dependency. They would once again treat people on welfare as being incapable of finding a job, as being incapable of working. That's the wrong message to send to the people of this province.

Let me say to you that in York region alone, for those of my constituents who are interested in this, between 1996 and 1997, as a result of the reforms of our program, there was a savings of some \$34.4 million on welfare. In 1997 and 1998 the savings are some \$42 million to the taxpayers. That's \$42 million that they don't have to pay out to people on welfare. Why? Because those people are now working and they are generating income and they are self-sufficient. They have hope. That is the message to the people of Ontario.

Yes, we have taken some very difficult decisions. We have implemented change, reformed the welfare system in this province for the first time in some 35 years, but that is precisely what we were elected to do. At the end of the day we will go back to the people gladly and demonstrate to them what we have done for the unemployed, what we have done for those on welfare, what we have done for those who are graduating and will be looking for a job.

What we have done is to create an environment in this province that not only has created jobs for Ontarians but is attracting people from around the world to invest in this province, because this province is without question the best jurisdiction in the world in which to live, to work, to raise a family, and we will continue to do what we can to protect the principles that have made this province great, to protect this province and the quality of life that Ontarians have come to accept as a given. That quality of life was being challenged by the wrong-headed policies of two previous governments that had created massive debt, that had created massive job loss, that had driven investment away from this province.

1650

I'm pleased to be part of this government and to announce, not only to Ontarians but to the world, that Ontario is once again open for business, that people are being attracted to this province because of its quality of life. There are jobs, there is hope, there is opportunity in this province, and we're pleased to deliver that legacy to the people of Ontario.

Mr James J. Bradley (St Catharines): I'll start off where the last member left off, talking about debt. This government has accumulated — I believe he'll correct me if I am wrong — somewhere in the neighbourhood of \$24 billion in debt since it has been in power, added to the debt of the province. A lot of that was unnecessary debt. I don't say all of it was unnecessary debt; I say much of that was unnecessary debt, because you decided that you would give a tax break which would benefit the wealthiest people in this province instead of using that money to pay down the debt, to avoid debt or to maintain significant services in this province.

Anybody at all who has gone into a hospital in the last short period of time since the government has made massive cuts to the operating budgets of hospitals would recognize that a major change is taking place. If you think of, for instance, 10 years ago, if you look at a decade, perhaps even seven or eight years ago, if you went into a hospital there were a significant number of nurses available, there were people who had medical training and assisted the nurses and the doctors, and in addition to that, there were a number of people who were non-medical staff who made a stay in a hospital much more pleasant and much more reasonable for people who were unfortunate enough or sick enough to be in a hospital setting.

That has changed substantially today, and it has changed because you people have taken massive amounts of money out of the operating budgets of hospitals in this province at a time when in fact there's a growth in population in Ontario and, as the population ages, there's a need for much acute care or emergency care as well as chronic care.

You were so eager to cut that budget as you wanted to do, while giving money away in a tax cut to the wealthiest people in the province, that what you ended up with is a health system which is under, to say the least, considerable stress. I get calls from people on almost a daily basis, expressing their concerns about the health care system. I remember having a gentleman in my office not that long ago who was talking about the care that his wife was getting as a cancer patient and how dissatisfied he was, not because the staff didn't want to give good care but because there simply would not be enough staff available, enough resources available, to give the kind of care this person had expected in Ontario where we have prided ourselves over the years in having an outstanding health care system.

When you rush forward to take the money out of the operating budgets of hospitals, you must recognize that that's going to have consequences, but as with so many policies this government brings forward, the bulldozing

approach that it uses, we find that the government and its advisers, many of whom are the young whiz kids who have all the answers to the world's questions but are not elected, but the advice they give is, "You must cut quickly, long before the election, and then you can throw some money at it as the election comes along and everybody will be fine with that."

People have seen a significant shift in the kind of health care that's available. In the city of St Catharines, I've mentioned on a number of occasions, we have a hospital that's under threat of closing. First of all, we have three good hospitals: the Hotel Dieu Hospital, the St Catharines General Hospital and the Shaver Hospital — the Shaver Hospital is for rehabilitative care and for chronic care patients — all excellent hospitals. But this government has decided it's going to take money out of the operating budgets of those hospitals.

They lay off dozens upon dozens of employees. If you wonder why the hospitals aren't as clean as they used to be, if you wonder why there aren't so many services available, if you wonder why the nurses are unable to respond immediately when the emergency button is pushed by one of the patients, then you should know it's because Mike Harris made a decision to cut funding.

What the right wing often does, particularly the ideological, extreme right wing that we have in power at the present time, is they discredit public institutions in the hope that the public then will accept radical solutions to the problem it has created. In other words, if you underfund hospitals considerably and if they're unable to carry out their functions as people would like, then the government believes more people are prepared to accept a radical, perhaps irrational and reckless, solution in desperation.

That's being done with the education system; that's being done with the health care system in this province. Our St Catharines city council last night dealt with yet another issue, the potential closing of Merritton High School, a high school with historic importance in St Catharines which for decades served people in what we used to call the old town of Merritton and the Merritton ward of St Catharines. The Hotel Dieu Hospital is important to those who care about medical care and the Merritton High School is important.

But what boards of education are facing today, unfortunately, is the reality that the Mike Harris government has significantly amended the funding formula and has imposed a silly and unsupportable formula for space within schools and keeping the schools open, that boards of education across the province now are wrestling with the problem of closing schools. Tonight the district school board of Niagara is facing that particular issue in St Catharines. Last night St Catharines city council unanimously passed a motion asking that Merritton High School stay open, just as St Catharines city council almost unanimously passed a motion asking that the Hotel Dieu Hospital stay open.

You can see that it's not one isolated case, not one isolated issue. The problem is with the policies of this

government and the funding formula of this government. I hear government members from time to time say, "I support keeping a certain hospital open," or, "I support keeping a certain school open." I'm afraid you can't do that and be able to get away with that kind of argument because, of course, these closings flow from the policies of this government.

There are some people who like to make like they're independents in this House or something, that somehow when the government does something that's unpopular in their area, they can fight that and say, "We don't want this school closed," or, "We don't want this hospital closed." But they have to recognize that's what the Mike Harris government policies are all about: defunding, underfunding, withdrawing funding, discrediting public institutions, and then they're going to close.

I'll tell you something. I have probably more respect, though I don't agree with them, for those on the government side who will stand up and say: "Yes, this is happening. These are the consequences and they're a consequence of our government's policies." At least they're being up front; they're being honest. I disagree with them but they're being up front and honest. But to have members out there pretend that somehow when it's a decision that affects their area badly they can step out of the Conservative box and say: "Oh well, that's the Mike Harris government. I'm opposed to that."

I'm sorry, but it can't be done, because those closings, those policies implemented at the local level are a result of the overall program and policies of this government. That's why I think we have problems within our health care system in Ontario. We've traditionally had a very good system. I see the government slowly but surely moving towards a two-tiered system, one where, if you have enough money, you can buy yourself to the front of the line to get service or you can get a specialized service if you're prepared to pay a premium. We see various options that used to be covered by the Ontario health insurance plan, OHIP, being taken away now. For some of wealth and privilege and power, that doesn't really affect them. They can shell out of their pocket and it's not a problem. But for most people it is a real problem.

1700

I had a lady in my constituency office the other day who was talking about the drug program and the fact that a \$2 fee had to be paid by a 94-year-old friend she had every time there was a prescription given, and how much of an imposition it was on a person who had to get a number of prescriptions filled. As you know, the pharmacists or the doctors, one of the two, are not permitted to or not encouraged to give prescriptions where there is a significant portion of pills given at once. Therefore they have to keep going back, and every time they go back there's that \$2 charge that goes into the provincial treasury, the government of Mike Harris, and there's a charge for the dispensing fee. I didn't say it went into Mike Harris's pocket; I said it went into the provincial treasury of the government of Mike Harris. So there is that fee.

Seniors are perturbed by this. If it happened once or twice a year, some of them probably wouldn't complain that much, but it's happening very often. I see several of them. They talk to me about it. Anthony Chuck of St Catharines has phoned me about this and told me about it. Mike Lazarenko of St Catharines has told me about it. They've been quite perturbed by the treatment of seniors. They weren't aware that this issue doesn't get discussed in the Legislature. I had to tell them that we don't get a chance in this Legislature necessarily to vote on all these things the government does behind closed doors in the cabinet meetings of this province.

I see a genuine problem in the health care system, but I also see the ramifications in the education system as school after school comes under assault. I know some people will feel a bit of relief for a year because the Mike Harris government, having perceived it was in a deep crisis, with meetings being held every night at schools across Metropolitan Toronto and the province, with people out protesting the closing of schools because of the provincial funding formula that was put in place and the ridiculous rules for space requirements within schools that were imposed by Mike Harris and his minions, the government had to cut this off, had to cut it off at exactly the right time. So to avoid a political problem, they threw — the Minister of Education will nod to me if I have the wrong figure one way or the other. Was it \$200 million, Mr Johnson, that was provided? I think it was a figure of that amount. How much was it?

Hon David Johnson (Minister of Education and Training): It was \$236 million.

Mr Bradley: So \$236 million was provided for one year. Now, coincidentally —

Hon David Johnson: No, that's permanent. The \$211 million is permanent. It's \$236 million the first year and \$211 million permanent.

Mr Bradley: No, no. For the school system to keep schools open, that was something temporary which we will see disappear after this year. I'm sure the NDP will agree with me on that. The government has provided money on a one-year basis. What we would find out if they were re-elected is that that money would disappear, that the changes would not be permanent. That's why school boards across this province even today are closing schools. They're closing them because they perceive that the provincial government has only put in a stop-gap measure which will last one year. After that, anything can happen.

I remember when the minister was delivering his last-minute amendments to Bill 160, which were certainly far from sufficient, over in the Whitney Block, he was asked by the news media, "You've heard many figures mentioned as to how many teaching positions will disappear as a result of Bill 160." I was there to watch him when he said that 7,500 was his prediction.

Hon David Johnson: Nonsense.

Mr Bradley: He can say, "Nonsense" if he wishes. He was in the hallway, I was in the hallway, the press was in the hallway, and that's what he said. He predicted about

7,500 positions would disappear from the education system. I hope to see the tape of that so I can play it to the Minister of Education, because I took notes as he said it at that time. I can tell you that was his own prediction. Others had predicted something higher, some had predicted something lower; his estimate was that 7,500 jobs might disappear as a result of Bill 160.

We're seeing the ramifications of Bill 160 now. We have disruption in the education system. We have chaos. We have instability. We have people fighting with one another at the local level. Oh, the government sits back happily as it watches boards of education fight with their teachers; or perhaps elementary school teachers disagreeing with secondary school teachers; caretaking or maintenance staff worrying that they won't get a sufficient amount of the money that's going somewhere else; secretarial staff who play a significant part in the school system not having sufficient funding to carry out their responsibilities. And those fights go on. Boards will be fighting boards or federations fighting federations.

I have to remind them where the blame lies. The blame lies with the Harris government, not with those people. They were united just a few months ago in opposition to this government's policies, but now they're fighting over the scraps that are there.

That's what you find with the hospitals as well. I noticed a headline in the St Catharines Standard that said that Hotel Dieu stands alone in wanting to keep the Hotel Dieu open. Well, does anybody expect that the people from the Greater Niagara General Hospital or the Port Colborne hospital or the St Catharines General or any other hospital in the region who might not be touched by a closing are all of a sudden going to say, "Oh no, please stop that plan" that in effect may add to their facilities but lose the Hotel Dieu? I don't expect them to. I'd be very surprised if they would do that.

What we've got now is division. Fortunately, there are a lot of people in our city who want to see all of our hospitals maintained, as I do, because we need all of the hospitals, but we have others who are now fighting between hospitals. It's the Hotel Dieu supporters against the general hospital supporters and the Shaver Hospital supporters. It's just awful to watch what happens when this government decides that it's going to defund, underfund, the hospital system in our area and then have its commission, which it claims is arm's length, come in and shut down one of the hospitals in the area.

I can say that some of the rural hospitals that think they're off the hook may not think they're off the hook if these people get re-elected because that isn't a permanent report on the small-town and rural hospitals out there. That's not a permanent degree of support at this time.

I know there are many students in our post-secondary system who are finding it extremely difficult to be able to afford an education. They are people who are trying to go to university, trying to go to community college, trying to go somewhere where there's post-secondary education, and finding it very difficult economically. Either they have to build up a tremendous debt, which they have to pay off

personally, or they have to exercise the option of not having a post-secondary education.

That's the way it was many years ago. Only the children of the rich and those students who were particularly brilliant and were able to earn scholarships got to go to post-secondary education. It was just tough luck for the rest if they didn't have the money. That is what is happening today. Not only is it tuition, it's other fees which are charged by universities that are starved for funding. They need the funding, so they charge other fees to the students.

They also face rent control having been abolished in this province. As you know, students move more rapidly than others. When an apartment or a rental property is vacated, that means the rent control on that property disappears. The sky is the limit. The landlord may charge whatever he or she sees fit. So those students are in difficult straits.

This is something that affects middle-class families and those of very modest means because they do not have the funds to attend post-secondary education. That is something we have prided ourselves on in Ontario over the years, that we had an affordable education system for those who are competent enough to be part of it and who had a desire to participate in it.

I know as well, if I can go back to health care, for instance, that the emergency departments in many hospitals are in critical situations.

Mr Douglas B. Ford (Etobicoke-Humber): The same as closing beds in hospitals. I was in the hospital when you closed all the beds, Jim. I think it was something like 10,000.

Mr Bradley: I can say to the member for Etobicoke-Humber, who interjects, that often they are in critical care bypass. I was at a meeting at the Hotel Dieu Hospital a few weeks ago, and while I was there the announcement came over the PA system, "We are now on critical care bypass." In other words, ambulances are not allowed; we've got to send them somewhere else. Send them to Welland, send them to Niagara Falls, somewhere other than St Catharines, because they are on critical care bypass. All of this, I can tell you, is a result of the funding policies and the right-wing ideological policies of the Mike Harris government.

I hope that tonight Merritton High School will survive. Merritton High School in St Catharines has a long tradition. It serves the neighbourhood. It's a wonderful neighbourhood school, it has an English-as-a-second-language group of students, it's the right size, it's a community centre which many people use, yet it's under threat tonight at the meeting of the board because of the funding policies of Mike Harris and his compatriots.

1710

Mr Christopherson: I appreciate the opportunity to join in debate. Like my colleague from St Catharines, I would also like to focus on health care.

Prior to moving to that, in his opening comments the leadoff speaker for the government, for the Tories, the member for Northumberland, talked about how thrilled he

was to stand in this place — I'm paraphrasing — and brag about bringing the good news of what Mike Harris has done to the people of Ontario. I heckled at the time across the House, "I don't know what planet he just arrived from," but it's certainly no community in Ontario that I'm aware of that considers the agenda of Mike Harris to be good news. Anything but. It may be that some of their very wealthy friends who get the benefit of the 30% tax scam see the Mike Harris agenda as good news, but for the people in Hamilton, who see what has happened to our education system, to our health care system, to environmental protection, to labour laws, to our social services, it's anything but good news. In fact, quite the contrary: It's devastating.

I just want to comment briefly, because we're not doing the usual two-minute responses. It doesn't apply in this kind of debate, where we don't do the two-minute responses. The member for York-Mackenzie stands up — again you have to wonder not only what planet but what dimension some of these Tory backbenchers live in — and talks about how wonderful workfare is for people on social assistance, for the poor in our province, and tries to suggest that somehow not only are they happy about it but that it has been this wonderful, progressive change to our social service system. It's absolutely mind-boggling.

The fact is that under Mike Harris we have returned to a time when the provincial government has legalized forced labour. That's what we're talking about: It's forced labour. When you tell people, "We know you can't survive, that you don't have enough money to buy food and provide shelter" — the main ingredients of sustaining life — "but we will only give you that sustenance if you work," that's forced labour. You give people no alternative whatsoever.

I remember during the debates on that issue we raised the fact that this had been done in history, in the past. It always seems to happen during the darkest economic times that this kind of right-wing, mean-spirited mentality takes hold. Certainly, we saw that same kind of attitude in Ontario under Mitch Hepburn. Remember when he was the Premier? During the Depression of the 1930s. We raised the fact that whenever this dark approach to building our societies was taken, it failed every time. It failed because it goes against human nature. Contrary to what the member for York-Mackenzie said, this government's attitude is one of blaming the victim.

How do you possibly justify attacking and cutting the income of the poorest of the poor by 22%? Go and suggest that to any of your corporate pals. Go into one of those boardrooms over there on Bay Street and say: "Hey, folks, we're thinking of introducing legislation because of the tough economic times and everybody has to tighten their belt. It just seems sensible that those who have the most might want to be asked to tighten a little bit too." Walk into a room and say, "We're going to bring in legislation that's going to cut your income by 22%" — absolutely never going to happen.

What did they do? After they cut the income of the poorest of the poor — think about it, all these articles

lately in the media about how shameful it is. The United Nations is saying how shameful it is the way the poor are being treated in this country and they hold out the Harris government as a prime example of the problem. At a time that we're facing that kind of criticism from the United Nations, this government stands up and somehow wants to defend and brag about the fact that they cut the income of the poorest of the poor by 22%, knowing full well that half the people who are on welfare are kids.

When we talk about kids in poverty, if not the majority, certainly a very large identifiable portion of them are those who are already in families, many single-parent families headed up by women, that are on social assistance. What did you do to help those kids? You cut the family income by 22%. That's what you did. That's the record. No matter how many Orwellian speeches members like the member for York-Mackenzie try to make, you cannot turn around the fact of what you did, and you did that to poor kids.

You like to leave the impression that they're all ripping off the system, that they're beating the system and that it needs to be done. There's not a study yet, and you haven't produced one either, that shows that there's anything more than 3%. Nobody likes to accept any per cent in terms of systems that are being ripped off, but give me a break: Do you think there's any system in existence that doesn't find some sharpies who find a way around it?

Mr Pouliot: Ask the business community.

Mr Christopherson: My colleague from Lake Nipigon says, "Ask the business community." We know there are bad apples there, not the majority but there are some bad apples, but you don't go after the wealthy because a few of them beat elderly seniors and widows for their pension money or their nest egg in some kind of stock scam. You don't suggest that, but because 3% of those who are on social assistance are applying their talents, if you will, in this regard, you try to suggest that the whole system is fraught with fraud, and it's just not the case.

It's sad that we have a political climate where a member could rise in his place and make a speech like that and believe that there's an audience, even worse to think that there might be. That's the kind of time we live in. It's the kind of time that you created, that you have fostered.

I said I was going to talk about health care in Hamilton. The member for Northumberland wants to talk about good news. Let me talk to you about reality. The reality in Hamilton: Let's talk about hospital funding. I've already raised in this House on many occasions the fact that in terms of operating budgets the Hamilton Health Sciences Corp is short over \$38 million in operating funds. The last I heard, they were going to approach the banks to take out a loan to cover their operating costs rather than cut back on services or staff any further. I don't think we've ever seen that in the history of Ontario, where a hospital has had to do that, but given the choices they've got because you won't free up any money — you've committed to that tax scam and, boy, that money is going to go to your friends no matter what. If that means that hospitals have to cut services or hospitals have to lay off nurses or hospitals

have to go to the bank and borrow money, so be it, as far as you're concerned.

1720

Then we had the Minister of Health roll into Hamilton on December 1 and with great fanfare talk about the fact that she's going to provide up to \$45 million — it's \$44.9 million — towards the estimated \$63.3-million cost of restructuring Hamilton hospitals. The numbers, according to the minister, leave our community having to raise from the community almost a third of that.

What's the deal there? This is not our restructuring plan, it's not our health restructuring commission; it's yours. We didn't want it. We didn't want it in the beginning, we didn't want it in the middle and we don't want it at the end. We don't want it at all, but you used your majority government to foist it upon our community. Then you roll into town and announce that you're only going to cover two thirds of the cost of implementing your plan, your plan which we feel is already hurting the standard of health care in our community. What the hell kind of deal is this? On top of everything else that you've done and all the things that have been cut, now we're expected to come up with one third of the cost to pay for your restructuring.

By any other label it's a tax. It's money that people have to give in order to pay for services that are under your jurisdiction: health care. What makes it worse and adds insult to injury is the fact that indeed it is a plan that's yours, that we didn't ask for, we didn't want. You don't even have the decency to fund the whole thing; you have to insult us further and hurt us further by saying, "Your community has to pay for this."

I would point out that at the same time we've already got major fundraising projects going on in terms of McMaster University. I had breakfast recently with the president of McMaster University, Peter George, and talked to him about the fact that he's doing a lot of travel around the world trying to secure money for that major fundraising exercise. The YWCA has a major fundraising exercise going on. On top of all that, you expect us to find the multi-millions of dollars necessary to pay for one third of a plan that we didn't want in the first place and still don't want. And the member for Northumberland stands and says, "I bring you tidings of great joy."

Further, you're lowballing the numbers again. You're going to pay \$44.9 million towards a cost that you've estimated at \$64.3 million. The problem is that health officials, hospital officials in Hamilton say the cost is closer to \$100 million. That means that if it is \$100 million, we're on the hook for the difference between \$45 million and whatever figure close to \$100 million we end up seeing for the price tag.

You give us this restructuring plan and force it down our throats, a plan that we don't want, that we think is going to hurt health care in Hamilton and in the surrounding region. Then you announce that we've got to pay one third of it, and the figures you're using mean that we're going to pay a lot more than one third, because you're not giving full credit to the total cost in Hamilton to pay for your unwanted restructuring plan. Look at the headline:

"Hospital Funding Falls Short by \$20 Million," and we're supposed to be happy with the Mike Harris agenda? For what?

You're going to close the urgent care centre at Chedoke, I believe at the end of next month, as part of your restructuring. That's part of what your plan is doing. We're going to lose the urgent care centre that we have on the West Mountain at Chedoke. That's why we're so angry, insulted, offended. It just goes on and on and on. It's relentless.

But the Minister of Health and the member for Northumberland and the Tory backbenchers from the Hamilton area will all stand up and in their greatest Orwellian style say, "Everything's wonderful, everything's great, we're making it better with less," and all that other nonsensical spin that you put out as a substitute for decent health care policy, all so you can pay for your 30% tax scam that your pals are benefiting from.

Let's not lose sight of the fact, because we always have to factor this in, that you changed the election laws so that your corporate pals who are benefiting from the 30% tax scam can double the amount of money they can contribute to your political party in the next election, and you raised the amount of money that you can spend in the next election, and you've made the election period shorter so that there's less door-to-door canvassing and more politics by advertising, and you did all of that without one minute of public consultation. You further insult people by suggesting and believing they won't figure it out. It's incredible. There was a fellow not that long ago in history who said that if you say a big enough lie often enough, people will believe it. Obviously you've decided that's the way to go.

I see one of the members across the way in the government covering her ears, with a look of great disdain on her face. I'll tell you, if you were a Hamiltonian facing the kind of hits and attacks and cutting and gutting to our health care and education systems, you'd be doing a heck of a lot more than that, member, a lot more than that.

What else? Hamilton Psychiatric Hospital is another part of your restructuring plan, to shut down the regional psychiatric hospital in our community. Virtually no one in the community supports it, but you're going to force that down our throats.

Again, you always have this knack for throwing salt on the wound. Mayor Bob Morrow has been trying for months to get a meeting with the health minister to express the opposition and concern that exists in our community about closing the Hamilton Psychiatric Hospital. To date, he can't get a meeting with the minister. The minister will not meet with the mayor of Hamilton to listen to his concerns in terms of expressing the views of our community. It's disgraceful, shameful, right in line with the Premier refusing to meet with the provincial Ontarians with Disabilities Act Committee, saying no, he won't meet with them when asked here in the House by my leader, Howard Hampton.

It doesn't end there. There's the recent announcement by the minister responsible for long-term care of 550 beds in our community. There were five winners; four of them

were privately owned. None of these facilities are even built yet. What did St Peter's Hospital get, the chronic care hospital which is our geriatric services centre of excellence in Hamilton? Nothing. Not a single bed. Who recommended that they should get beds? Your health restructuring commission.

Your own friends at the Hamilton Spectator editorial board by and large are supportive, and the reason I raise them as an example from time to time is because we have been damaged so badly that people who politically support you continue to write editorials slamming the impact of your policies as they pertain to my hometown of Hamilton. That's how bad it is. What are the headlines around St Peter's? "Long-Term Beds: Time for Answers." Yesterday, "Answers Please, Minister Jackson." They're a lot politer than the rest of us in terms of the things they demand, but they demand nonetheless.

I'm running out of time. I can't read these, but I would certainly be willing to provide a copy to any Tory who wants to take a look, for any who care, because the fact of the matter is they are raising exactly the same points that I have here.

How can you have your health restructuring commission recommend, after you've already downgraded our chronic-care hospital to a long-term-care facility, that they get long-term-care beds, and the first time you make an announcement, from the guy who even you like to say represents Hamilton, which is a joke — Cam Jackson from Burlington representing Hamilton is a massive joke — St Peter's got nothing, not a thing, and part of the reason is they didn't meet certain criteria that nobody ever talked about.

What is going on to health care in the Hamilton area is absolutely absurd and offensive. That is why and I and other Hamiltonians get so incensed when people like the member for Northumberland stand up and puff out their chests and talk about all this good news and how wonderful you've been. Virtually everything you've done has hurt Hamilton and hurt the surrounding municipalities. All the things that helped make our community a great place to live, to be an important part of Ontario, an important part of Canada, you've hurt, and you've hurt badly. The day of reckoning is coming, no question. That day of reckoning will come when people get to express their viewpoint at the ballot box.

1730

STATUS OF BILL Pr22

The Speaker (Hon Chris Stockwell): I have a ruling to make before we go to further debate. Sorry to the member for Simcoe Centre, but I promise it won't be long.

Earlier today the member for Algoma, Mr Wildman, raised a point of order with respect to Bill Pr22, An Act respecting the City of Kingston. I have carefully reviewed the bill, along with the procedural principles which govern private bills. Having done so, I find that this bill is not unlike those that we have dealt with previously. It seeks to exempt a certain group from public policy. It does not

apply this exemption to unknown general public across this province. Therefore, my opinion is, after the relatively short period of time I had to review it, that the bill is in fact in order. However — and let's be very clear about this "however" — it may be that the standing committee on regulations and private bills, after considering the bill, may find that the subject matter is unfit for private legislation. In this case, the option is still open to them to make that decision.

CONCURRENCE IN SUPPLY

(continued)

The Speaker (Hon Chris Stockwell): Further debate?

Mr Joseph N. Tascona (Simcoe Centre): I'm very pleased to join the debate on concurrences today. This economy of Ontario has been doing very well. The number of jobs created since we have taken over government is 461,000 net new jobs. The economy is strong, the welfare rolls are decreasing, and I can honestly say that the measures that this government has taken in terms of creating a very positive environment with respect to investment has led to this. That has been done in spite of the measures that have been taken by the federal Liberals.

I want to read an article. It's an editorial from the *Barrie Examiner* dated December 3, 1998, and it's entitled "Tunnel Vision on EI Rates," dealing with the employment insurance position of the federal government. It states:

"It would be nice if the mandarins in Ottawa would look at the whole picture once in a while, not just a small part.

"Federal Finance Minister Paul Martin's plan to chop \$1 billion from unemployment premiums next year sounds like a good deal until it's put in perspective.

"Yes, it means reducing poge premiums by 15 cents for each \$100 of employees' insurable earnings. Employers will also pay less.

"And any time the government reduces our taxes it's a good thing.

"But when you factor in that Canada pension plan premiums are set to rise by 30% in the new year, the average working stiff will see his or her paycheque decrease.

"That's not a good thing, because the bills most Canadians pay are on the rise. Now there will be less money for other things.

"What really gets the hair up on the back of our necks is that the government's own people have said this paycheque loss was unnecessary," and we're talking about the federal government, of course.

"Its own actuary (a number cruncher) said the EI rate should have dropped by a minimum of 50 cents, and the Liberals could have lopped off 90 cents and still broken even.

"The feds will take in \$7 million more next year than will be spent on unemployment insurance, and the EI fund has an accumulated surplus of \$19 billion.

"Martin has justified the limited cut in EI premiums by saying the government can't afford to do more. The

finance minister would rather reduce taxes and raise health care spending instead.

"That's fair enough, but Martin could have struck a balance. He could have reduced EI premiums to compensate for the increase in Canada pension payments.

"At least that way, our paycheques would not have to be eroded.

"Ontario Premier Mike Harris has taken Martin to task because Canadians are being overcharged for the EI premiums, and he's right to point out that this is unfair — although he's certainly playing party politics as well.

"But Harris has pretty good evidence that increasing the take-home pay of Canadians makes good economic sense. The Tories have cut personal income tax by 30% in this province and the result has been a booming economy and impressive job creation."

As I stated, there are 461,000 net new jobs in this province. The economy is strong. People have a positive outlook on where this province is going.

"Ontario's success is probably the main reason why Martin is contemplating a tax cut.

"That aside, the feds have erred on this EI/Canada pension shuffle. And they look bad because it doesn't take an accountant to figure out this didn't have to happen.

"It's this type of tunnel vision which is making more and more Canadian shakes their heads at the Liberals and begin counting the days to the next federal election."

I would say that is certainly right on with respect to the economic policies of this federal government. They have done everything possible to slow the growth, the economic prosperity of this province, and they're doing it on the backs of the working people.

I would like to now turn to the province's pivotal role in changing the focus of the education system in this province. One of the best things that this government has done, among many things, is that they've brought in provincial standards to education. For example, they brought in an elementary standard curriculum which allows people, if they do have to move from one school board to the next, to go with confidence that the curriculum they're being taught in the school board they were previously residing in is the same curriculum that's being taught in their new board. That's fundamental, because I've only heard positive things from teachers and the educators in terms of this new elementary curriculum, and especially from the parents who want to make sure that their children are being taught not only a curriculum that's relevant but also that they're going to be progressing in terms of their learning curve in their education.

We've also brought in a standardized report card; and once again, very positive reviews from parents, from teachers, and even from the teachers' union, which is a bit of a surprise, but even they can understand that we do need standardized report cards. We've also brought in standardized testing for grade 3 and grade 6, and I understand grade 10 is pending. There are also maximum class sizes in the elementary and the high school levels. We've also brought in standardized classroom teaching times at the elementary and high school teaching levels. I think

those are very good provincial standards in terms of moving us in the right direction.

I also want to share at this time what has currently been released by the Education Improvement Commission, a report on the role of school councils. In this document, at table 1, they've set out an education accountability framework. I think this is of great service not only to the public but also people who take the education system very seriously. It articulates the role of the Ministry of Education and Training, which is to articulate the vision of education for Ontario, set province-wide direction, including what students will know at each grade level, provide sufficient and equitable funding to school boards.

I want to comment on the funding formula that we brought forth earlier this year, but what that indicates is that we're accountable to the people of Ontario with respect to the provincial standards that we're bringing in and we're in fact doing that.

There's also, at the provincial level, an Education Quality and Accountability Office. Its responsibility is to measure and communicate the achievements of students, schools and school boards. It's accountable to the people of Ontario through its board of directors.

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At the provincial level, there's also the Ontario College of Teachers. It establishes and implements standards for certification, teaching practice and professional development and accredits faculties of education, and it's responsible and accountable to the people of Ontario through its governing council.

At the school board level, we have trustees. Their role is to articulate the board's vision for education, to develop policies based on the vision and provincial policy, set budgets and goals, monitor policy and student achievement and provide equity of program for students throughout the board. They're accountable to the people of their own community and the people of Ontario through the Ministry of Education and Training.

Also at the school board level, we have directors of education. Their responsibilities are to implement board policies, hold schools accountable for the achievement of students, provide support and direction to schools and manage the school board organization. They are responsible to the board of trustees.

At the school level, we have school principals. Their responsibilities are to act as instructional leaders, to lead and manage schools and ensure effective programs are in place, and they are accountable to the director of education. At the school level, we also have school councils. At present, their responsibilities are to advise their school principal and, if requested, their school board, and they're accountable to the local school community.

What the Education Improvement Commission has articulated, through their paper with respect to parent councils, is a document that is a must-read for every parent who is interested in their child's education. It sets out 43 recommendations in terms of the consultations that they undertook throughout the province.

I'd just like to set out what their mandate would be when they went out and they had the consultations throughout the province. They issued a discussion paper, *The Future Role of School Councils*, which I distributed throughout my riding whenever requested, which contained six questions designed to frame our consultations with the public and members of the education community on this topic:

"(1) How can parents, communities and school councils best contribute to a child's education?"

"(2) What should school councils be doing?"

"(3) How can school councils ensure they represent their communities?"

"(4) What should be the relationships among the school council, the staff and the principal and the district school board and the community?"

"(5) What kinds of support do school councils need?"

"(6) What makes an effective school council?"

Those were the questions that were set out and the consultations were based on that. A lot of it had to do with parents who varied from one school to the next, from one school board to the next and across the province and who wanted to know exactly what their role was. They wanted to have a pivotal role with respect to their child's education, and that's what this Education Improvement Commission was looking at.

They've come out with these 43 recommendations, and I would urge the public to get a copy of this because it's an excellent document. In my opinion, the recommendations are designed to enhance the role of parent councils in the school board system. Through Bill 160, we mandated by legislation that school councils would exist within the current educational system. Before, it wasn't mandated by statute, and I think that's what led to a lot of the confusion in terms of what role school councils should play.

What this document articulates is that, very distinctly, at the school level, the parent councils are going to have a fundamental role with respect to working with principals in regard to how the school is going to operate. There's no doubt that the accountability is very important because we know the principal is responsible for running the school, but the parents want a say also in how that school operates, especially where it fundamentally impacts their child.

Let's face it, any parent wants to make sure that their child gets the best education possible and they want to have a role, and that's what the Education Improvement Commission is providing for through this consultation process. I am very optimistic as to what we're going to see from this consultation process, which is parent councils having a very fundamental role in the school board system and enhancing their child's education. I urge, as I said earlier, that all parents get a copy of this document to make sure they understand what the recommendations are and the best way the government should implement this.

As I indicated earlier, I want to speak about the fair funding formula that was brought out by this government earlier this year. On March 25, the Minister of Education announced a new student focus funding formula. This government has kept another one of its promises to the

people of Ontario through this student focus funding formula. Our new approach to funding means more tax dollars will be directed to the classroom to be spent on the important components of a good education, essentials like classroom teachers and up-to-date learning materials. This is a fundamental complement to the provincial standards that the ministry has put into place and that the public wants.

Now, for the first time in history, classroom spending in the province will be defined and protected. Dollars allocated as classroom spending will be focused on specific areas of spending. Classroom spending includes classroom teachers and their assistants, classroom supplies such as textbooks, pencils, papers and computers, and library and guidance teachers.

This announcement means classroom spending will increase to 60% to 65% of total education spending. This will mean an increase of \$583 million by the year 2000. Education funding will remain stable at over \$13 billion for each of the next three years. When combined with current pension contributions, this will total \$14.4 billion in the year 1998-99. It is in the area of non-classroom spending that school boards will be expected to find efficiencies and reduce waste. Non-classroom spending includes board administration, department heads, directors and supervisory officers, and custodial and maintenance.

More importantly, in every board in Ontario, and there are 72 boards in this province, funds allocated for classroom spending will increase. Once each year, boards will publish a report card to taxpayers detailing spending inside and outside the classroom. Some boards are spending at high levels outside the classroom today. This spending must be reduced, but we will assist these boards by giving them time to adjust. For this reason, boards that are in a transition period are being given funding stability to make these adjustments and plan for the effective implementation of reforms.

In addition to defining and protecting classroom spending for the first time, this new fair approach to funding will ensure that each and every student will have the same opportunity to acquire the skills and expertise they need to compete and succeed now in the 21st century. I think this formula, which is based on equal funding no matter where you live in the province, is exceedingly fair.

That hasn't always been the case. Under previous governments, per-pupil spending varied dramatically from board to board. Some students were been denied an equal opportunity to learn simply because their boards lacked access to a larger assessment base. In my riding of Simcoe Centre, we certainly are a very growing board. The population has been expanding tremendously in the 1990s.

But under previous governments, our funding has not been there and we certainly have been far behind, for example, the Metropolitan Toronto School Board and other larger cities. With this fair funding formula, which is based on population growth and funding per pupil, we're going to be on a level playing field because of the growth that we're having, but also because of the necessity, I would say, of making the funding fair.

The Acting Speaker (Mr Gilles E. Morin): Further debate?

Interjections.

The Acting Speaker: I apologize. The Chair was not informed. I am now informed and I will proceed according to the regulations.

Mr Villeneuve has moved concurrence in supply for the Ministry of Health, the Ministry of Municipal Affairs and Housing, the Ministry of Education and Training; the Office of the Premier, the Ministry of Intergovernmental Affairs, the Ministry of Agriculture, Food and Rural Affairs, Management Board Secretariat —

Mr Christopherson: Dispense.

The Acting Speaker: Shall the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a 15-minute bell.

The division bells rang from 1751 to 1806.

The Acting Speaker: Mr Villeneuve has moved concurrence in supply for the Ministry of Health.

All those in favour of the motion will please rise one at a time and remain standing until your names are called.

Ayes

Arnott, Ted	Gilchrist, Steve	Parker, John L.
Beaubien, Marcel	Grimmett, Bill	Pettit, Trevor
Boushy, Dave	Guzzo, Garry J.	Preston, Peter
Carroll, Jack	Hardeman, Ernie	Rollins, E.J. Douglas
Chudleigh, Ted	Harnick, Charles	Ross, Lillian
Cunningham, Dianne	Hudak, Tim	Runciman, Robert W.
Danford, Harry	Jackson, Cameron	Sampson, Rob
DeFaria, Carl	Johns, Helen	Saunderson, William
Doyle, Ed	Johnson, David	Sheehan, Frank
Ecker, Janet	Jordan, W. Leo	Skarica, Toni
Elliott, Brenda	Klees, Frank	Smith, Bruce
Eves, Ernie L.	Leadston, Gary L.	Spina, Joseph
Fisher, Barbara	Marland, Margaret	Tascona, Joseph N.
Flaherty, Jim	Martiniuk, Gerry	Tilson, David
Ford, Douglas B.	Munro, Julia	Timbull, David
Fox, Gary	Mushinski, Marilyn	Vankoughnet, Bill
Froese, Tom	Newman, Dan	Wood, Bob
Galt, Doug	Ouellette, Jerry J.	

The Acting Speaker: All those opposed will please rise one at a time.

Nays

Bradley, James J.	Cullen, Alex	Morin, Blain K.
Brown, Michael A.	Gerretsen, John	Patten, Richard
Christopherson, David	Martel, Shelley	Pouliot, Gilles
Cleary, John C.	Martin, Tony	Silpio, Tony
Conway, Sean G.	Miclash, Frank	Wood, Len

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 53; the nays are 15.

The Acting Speaker: I declare the motion carried.

Mr Villeneuve has moved concurrence in supply for the Ministry of Municipal Affairs and Housing. All those in favour of the motion will please rise one at a time.

Same vote? Same vote.

Clerk of the House: The ayes are 53; the nays are 15.

The Acting Speaker: I declare the motion carried.

Mr Villeneuve has moved concurrence in supply for the Ministry of Education and Training. All those in favour will please rise one at a time.

Same vote? Same vote.

Clerk of the House: The ayes are 53; the nays are 15.

The Acting Speaker: I declare the motion carried.

Mr Villeneuve has moved concurrence in supply for the Office of the Premier. All those in favour will please rise one at a time.

Same vote? Same vote.

Clerk of the House: The ayes are 53; the nays are 15.

The Acting Speaker: I declare the motion carried.

Mr Villeneuve has moved concurrence in supply for the Ministry of Intergovernmental Affairs. All those in favour will please rise one at a time.

Same vote? Same vote.

Clerk of the House: The ayes are 53; the nays are 15.

The Acting Speaker: I declare the motion carried.

Mr Villeneuve has moved concurrence in supply for the Ministry of Agriculture, Food and Rural Affairs. All those in favour will please rise one at a time.

Same vote? Same vote.

Clerk of the House: The ayes are 53; the nays are 15.

The Acting Speaker: I declare the motion carried.

Mr Villeneuve has moved concurrence in supply for the Management Board Secretariat. All those in favour will please rise one at a time.

Same vote? Same vote.

Clerk of the House: The ayes are 53; the nays are 15.

The Acting Speaker: I declare the motion carried.

Mr Villeneuve has moved concurrence in supply for the Cabinet Office. All those in favour will please rise one at a time.

Same vote? Same vote.

Clerk of the House: The ayes are 53; the nays are 15.

The Acting Speaker: I declare the motion carried.

Mr Villeneuve has moved concurrence in supply for the Ministry of Community and Social Services. All those in favour will please rise one at a time.

Same vote? Same vote.

Clerk of the House: The ayes are 53; the nays are 15.

The Acting Speaker: I declare the motion carried.

Mr Villeneuve has moved concurrence in supply for the Ministry of Transportation. All those in favour will please rise one at a time.

Same vote? Same vote.

Clerk of the House: The ayes are 53; the nays are 15.

The Acting Speaker: I declare the motion carried.

It being past 6 of the clock, this House stands adjourned until 6:30 of the clock.

The House adjourned at 1812.

Evening meeting reported in volume B.

ERRATA

No.	Page	Column	Line(s)
64A	3820	2	39-43
64A	3821	1	15

Should read:

it, because it is possible that the economic downturn we experienced in Toronto and in Ontario in the early 1990s would not have been as severe as it was had we had the added economic activity that the Olympic Games would generate. Certainly Atlanta's gain was Toronto's loss. rower in the 1988 and 1992 Olympic Games. The entire

LEGISLATIVE ASSEMBLY OF ONTARIO
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of Ontario**

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Deuxième session, 36^e législature

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(Hansard)**

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des débats
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Tuesday 8 December 1998

Mardi 8 décembre 1998

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Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

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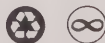
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 8 December 1998

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 8 décembre 1998

The House met at 1832.

ORDERS OF THE DAY

INTERCOUNTRY ADOPTION ACT, 1998

LOI DE 1998

SUR L'ADOPTION INTERNATIONALE

Mr Klees, on behalf of Mrs Ecker, moved third reading of the following bill:

Bill 72, An Act to govern intercountry adoptions and to implement the Convention on Protection of Children and Co-operation in respect of Intercountry Adoption in order to further the best interests of children / *Projet de loi 72, Loi visant à régir les adoptions internationales et à mettre en oeuvre la Convention sur la protection des enfants et la coopération en matière d'adoption internationale afin de favoriser l'intérêt véritable des enfants.*

Mr Frank Klees (York-Mackenzie): I am pleased to rise to open debate on third reading of Bill 72, the Intercountry Adoption Act, 1998. If passed, Bill 72 would fulfill two very important objectives: First, it would provide a framework for safeguarding the rights and the best interests of children and families involved in adoptions of children from other countries; second, it would implement the Hague Convention on Intercountry Adoption in Ontario, an important international agreement governing adoptions.

In recent years, the number of Ontario families who are adopting children from other countries has been increasing significantly. For example, in 1996, Ontario had 588 intercountry adoptions, which represents roughly 30% of all intercountry adoptions taking place in Canada for that year, and the number continues to grow.

Many of these adoptions proceed smoothly, but there have also been many incidents where the child, the adoptive family or the birth family involved have been exploited. For example, in some countries, birth parents' consent and other adoption documents have been falsified, parents have been asked to make illegal payments to buy children and children have been kidnapped from their birth families to be put up for adoption.

Children adopted from other countries can also face challenges that make them particularly vulnerable. For example, many of them are very young or have a difficult history of institutional care. Some have been orphaned at

an early age, spent time in refugee camps or have special medical or emotional needs.

There is an urgent need to protect these children and their adoptive and birth families. However, under the current legislation there is very little we can do. The Child and Family Services Act currently applies only to adoptions that are completed in an Ontario court. This means that we do not have the authority to safeguard the rights and best interests of children and families if the adoption is completed outside of this country.

As a result, hundreds of children enter the province each year without the necessary assessment of the adoptive parents. The result is that we really have no way of ensuring that the adoptive parents will make good parents. In some of these cases, problems have come to light following the adoption. For example, we have heard about children who have been adopted by convicted child abusers or who have been used as a source of cheap labour. The child protection system has become involved in some of these situations, and some have become wards of the crown.

I know members of this House share my belief that this is unacceptable in a province that puts such a high value on the protection of children. With the safety and security of children at risk, it is critical that we act to establish legal requirements that will better protect them. That's why Bill 72 proposes to do precisely that. The proposed legislation would establish requirements for all intercountry adoptions that must be met here in Ontario. First and foremost, these requirements address the safety and the security of the children involved. Second, they provide better protection for adoptive and birth families from exploitation.

It was concern about the exploitation of children and families involved in intercountry adoptions that led Canada and 65 other countries to negotiate and endorse the Hague Convention on Intercountry Adoption in 1993. The Hague convention is a framework for international co-operation. By setting standards for adoptions between countries, it prevents underground market activity and it protects children, birth families and adoptive families from being exploited throughout the adoption process.

Canada signed the convention in 1993. But adoption is a provincial responsibility in Canada, so each province has to pass specific legislation to enact the provisions of the convention for Canada to meet its international commitment. So far, nine provinces and territories have either implemented the convention or plan to do so by the end of this year. Other countries are also moving ahead with

implementation of the Hague convention; 25 of the 66 signatory countries have in fact completed this step.

There is a growing likelihood that some of those countries could stop allowing adoptions by Ontario residents until Ontario also implements the convention. We have already experienced the consequences of this. Earlier this year, a number of Ontario families experienced delays in completing the adoption of Romanian children after Romania changed its adoption laws.

Mr Dwight Duncan (Windsor-Walkerville): Good thing they had the federal Liberals to help them.

The Acting Speaker (Ms Marilyn Churley): Order, please, member for Windsor-Walkerville.

Mr Klees: While an interim agreement between the governments of Ontario and Romania allowed those adoptions to go through, Romania will not permit any further adoptions by Ontario residents until Ontario implements the convention.

Mr Duncan: Those kids are in the country now.

The Acting Speaker: Member for Windsor-Walkerville, come to order.

Mr Klees: But implementing the Hague convention in Ontario is only part of the solution.

Mr Tony Martin (Sault Ste Marie): On a point of order, Madam Speaker: I don't think we have a quorum.

The Acting Speaker: Clerk, could you check and see if there's a quorum, please.

Clerk at the Table (Mr Todd Decker): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: Member for York-Mackenzie, continue.

1840

Mr Klees: Implementing the Hague Convention in Ontario is only part of the solution.

Mr Duncan: The kids are here now, Frank, no help from you guys. You were too busy closing schools and hospitals.

The Acting Speaker: Member for Windsor-Walkerville, come to order.

Mr Klees: Quite frankly, I agree with the member from Walkerville that it should have been done sooner. The fact of the matter is that we're here now and we're getting it done, not because, as the member from Walkerville would have us believe, it was due to his initiative, because we know that the member opposite —

Mr Duncan: No, the federal Liberals, Frank.

The Acting Speaker: Member for Windsor-Walkerville.

Mr Klees: — spent a great deal of time doing what he should do, and that is advocating on behalf of people who come to him and put this matter before him, as did many members of this House, as did I.

The first time I was contacted concerning this was in December 1997. That was the time Ms Alison Pentland-Folk came to see me. In fact, I have a letter from her that very succinctly sets out the issue relating to intercountry

adoption and the issue of the Hague agreement. Ms Pentland-Folk is with us in the gallery today. We welcome her and want to take this opportunity to recognize the very hard work she did in terms of lobbying for this piece of legislation that is before the House today. Not only did she lobby very effectively with members of the government, but she clearly made every effort to speak to members of the opposition. We commend her for the work that she has done, and she should take great pride to have seen the legislative process work. She has seen that all members of the House can work together on a piece of legislation in a non-partisan way, particularly the member from Walkerville, who is having a great deal of fun this evening trying to provoke the Speaker, which of course he can't do. I know, Speaker, you would intervene, because we have much more important business to discuss this evening.

Mr Duncan: This is very important, Frank.

The Acting Speaker: Member for Windsor-Walkerville.

Mr Klees: But we're very pleased that he will be voting for this legislation.

The Acting Speaker: Just a moment. Member for Windsor-Walkerville, come to order.

Go ahead.

Mr Klees: We're very pleased that he is in such a hurry to implement this legislation. I wonder if he would call for unanimous consent of the House to just pass this without any further ado. I wonder if he'd be willing to do that.

Mr Duncan: Certainly at 9 o'clock this evening we will be happy to do that.

The Acting Speaker: He doesn't have the floor to do that. You should continue.

Mr Klees: I just thought I'd see what he would say. He's prepared to delay it by another two hours, and that's fair. I suppose he wants to get on record and express his very strong support for this bill. But we could have advanced it by two hours, Speaker, as you saw. The member from Walkerville wasn't prepared to do that.

Over 80% of the intercountry adoptions by Ontarians in 1997 involved children from countries that have not yet implemented the convention, countries such as China, Russia and Guatemala, which are not obliged to follow the same standards and requirements as those countries that are signatories to that agreement.

Bill 72 would establish provincial requirements for all intercountry adoptions completed in other countries, whether those countries have implemented the Hague Convention or not. For example, under the proposed requirements, all families who want to adopt a child from another country would need to prove their eligibility and their suitability to do so. First, they must make an application; second, they must obtain an adoption home study assessing their eligibility and suitability to adopt; and third, they must obtain approval based on that home study.

People who leave Ontario to pursue an intercountry adoption without first getting approval could, under this act, be charged. If convicted, they could be fined or jailed. In the case of an unfavourable report, the applicant would

have the right to appeal to the Child and Family Services Review Board.

A second advantage of Bill 72 is that it would allow us to regulate private intercountry adoption facilitators. Under the current Child and Family Services Act, we do not have the authorization to licence, to monitor or to regulate these individuals or organizations.

We're aware of many international adoption facilitators operating in Ontario without any form of regulation. While most of these individuals and organizations are knowledgeable and ethical, we have received through our ministry a number of complaints about some facilitators who do not appear to operate in an ethical manner. These complaints range from the facilitators' unfamiliarity with the adoption laws of the other country to many other irregularities that can result in significant charges to the adoptive parents. The exorbitant fees can create considerable difficulties for the adoptive families, who are already undergoing a very complex procedure.

One facilitator alone has been the subject of numerous complaints and allegations, including misrepresentation of the medical assessment of the child, demanding thousands of dollars in hidden fees from the adoptive parents, falsifying documents from other countries, colluding with individuals in other countries to kidnap children from those countries, and collecting fees for the placement of the same child with two different families. With the assistance of the federal and foreign governments, our ministry has confirmed the validity of most of these complaints, but we have not had the authority to this point to take any action. While some clients successfully sued, the facilitator has now left the country, leaving a number of debts.

In another case, an individual in Ontario with no knowledge of adoption, with no knowledge of child development or social work, set up an agency specializing in adoptions from China. This individual made claims about connections in that country and an ability to obtain younger and healthier children faster than any other facilitator in the province. Several dozen Ontario families paid the facilitator to help them adopt from China. The facilitator has since disappeared, along with the funds that were paid by the adoptive parents. The families involved had to start the process all over again.

The proposed legislation would protect adoptive parents from such unscrupulous operations by providing the authorization to set specific criteria for private intercountry adoptions. These criteria would require facilitators to be competent, experienced and knowledgeable. Their activities would also then be monitored by the province. These provisions would significantly reduce the incidence of these abuses and ensure that adoption facilitators do not contribute to delays in the process through a lack of knowledge of the adoption process or of the requirements of other countries involved.

Bill 72 includes additional safeguards regarding services for which a fee can be charged or paid. For example, intercountry adoption facilitators would not be permitted to charge nor would adoption applicants be permitted to

pay for services that are not listed in the regulations to the act.

I know members of this House will agree that there is nothing more important to a child than a permanent, loving family. For many children, that family can only be found through adoption, and more and more in Ontario those adoptions are from other countries.

I also believe it behooves us as a Legislature in this province to ensure that the adoption option is made much more available to individuals within our own province, that those families, those women who would like to consider putting their children up for adoption, whatever the extenuating circumstances might be, have the availability of that information as to what the process is, what the procedure is.

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Bill 72 would best safeguard the interests of our children. It would help families interested in adopting children from outside of Canada and reduce the potential for exploitation. I'd like to point out that the requirements set down in this proposed legislation are very similar to the existing rules for adopting children in Ontario under the Child and Family Services Act. In other words, Bill 72 insists that all Ontario children, whether they were born here or in another country, are entitled to a safe and healthy family life. It also ensures that Ontario residents who open their hearts and their homes to these children deserve support and encouragement.

To summarize, the legislation we're considering today provides comprehensive solutions to the challenges presented by intercountry adoptions. It enshrines the principle of the child's best interests in all intercountry adoptions, whether or not the country involved has implemented the Hague convention. It introduces a fair, consistent and standardized system for all intercountry adoptions. It removes the future possibility of Ontario residents being denied adoptions from countries that have signed the Hague Convention on Intercountry Adoption, and it provides a framework for safeguarding the rights of children, birth parents and adoptive parents involved in intercountry adoptions. The Intercountry Adoption Act is another important step this government is taking to protect vulnerable children and support the families of this province.

In closing, I'd like to pay tribute to some of the individuals who have contacted me and other members of the Legislature. I think of Jeff and Sandra Dyck, who are constituents who first contacted me in February of this year to express to me their wish to adopt and to again explain to me, as Ms Pentland-Folk had done on so many occasions, the complexities involved, to encourage our government to prioritize this issue.

I had the opportunity as well to have some discussions with Connie Miceli of Concord, who wrote to me in June and again expressed the fact that she as a potential adoptive parent was so frustrated with the process, with the red tape that's involved, and urged us to take this initiative.

Jeann Mittleton and Elaine McDougall, with whom I met in January of this year, also took great pains to ensure that as a government we are familiar with the circum-

stances of adoption, not only around the intercountry adoption issue but also with regard to the fact that so much more has to be done within the province to ensure that people who want to adopt have the appropriate information available to them.

On behalf of all of the members certainly of the government, I want to thank those potential adoptive parents who took the time to meet with us, to share with us their burden regarding the importance of this matter.

I want to take this opportunity as well to thank the Minister of Community and Social Services, who advocated very strongly on behalf of these parents on this issue with members of cabinet to ensure that we had the time available on the floor of this Legislature to deal with this piece of legislation before we rise for our break this year.

I urge all members of the House to support this legislation so that we can have it implemented without any further delay. I regret that the member for Windsor-Walkerville wasn't prepared to advance the quick passage of this, and so we'll have to wait the additional two hours for that to happen, but I think I understand his motivation.

The Acting Speaker: Further debate? If there's no further debate on the Tory side, then we'll take questions and comments, if there are any. OK, further debate. The member for Windsor-Walkerville.

Mr Duncan: I'd like to share my time with the member for Ottawa Centre. Do I require unanimous consent?

The Acting Speaker: You don't, but thank you for informing us.

Mr Duncan: I'm pleased to join the debate on Bill 72, the Intercountry Adoption Act, and say to the House first off that I support this bill. I would have supported it in 1996 when Canada ratified the Hague convention. I would have supported it in January 1996, in February 1996, in March 1996, in April 1996, in May 1996, in June 1996. I would have supported it in July 1996, I would have supported it in August 1996, and the list goes on. So when I hear the member, the minister's parliamentary assistant, say he's concerned that we're delaying it two hours, I say to him, where were you two years ago?

Ontario becomes the seventh jurisdiction in Canada to ratify the accord, yet Ontario, according to the National Adoption Desk, has the most children who were affected by this legislation. I welcome the good words of the member opposite and his minister, but I'd like to share with the House my experience with this particular piece of legislation, because unlike the member opposite, I came upon it because of a constituent.

On January 4 of this year, I had a call from a constituent in my office and she began to tell me a story about adopting a child from Romania. It was a very compelling story. It was a story full of heartache, it was a story full of concern, it was a story full of anxiety. I picked up the phone that day and I called the Minister of Community and Social Services, and I must tell you that when I spoke to the minister that morning, I hung up the phone and I felt good. I thought, "The minister understands this issue, the minister is compassionate about this issue, and the minis-

ter is going to work with these people to try and resolve the dilemma they are faced with."

The minister assured me that she and/or her staff would be back in touch with us within a matter of days. I should tell you that at that time there were 35 children in Canada, 34 of whom were in Ontario, whose adoption was at risk. There were 34 families in this province, good families, loving families, and, in the case of the family I dealt with, people who had been waiting almost a year and a half for their baby, waiting for Ontario to ratify the Hague convention. I say that I was genuinely satisfied by the minister that day that she would move quickly to solve this particular problem.

Well, a week went by, and then two weeks went by, and a month went by. People in the audience and in the House must understand that at this point in time six other Canadian provinces and two territories had passed the amendments necessary to implement the ratification of the Hague convention. Then a month went by, and then two months went by, and there was no response from the government. We raised the issue in the Legislature. We talked about it. We advised the families to bear with the government. We believed they were going to act in everyone's best interests and that it was their intention to bring forward legislation as quickly as possible. Another month went by and we were towards the end of March. You know what started happening then? Those families were threatened with losing their children. After months of prodding the government to bring forward the legislation, no legislation was forthcoming.

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Then a group of the families came to the Legislature and did a press conference here. They didn't want to have to do that. They should have been able to have done this in January; should have been able to have done it in 1996; should have been able to have done it in 1997. But oh, no, they were too busy closing hospitals, too busy closing schools to deal with something like 34 families who were caught in what I would describe as the worst bureaucratic entanglement I have witnessed in 10 years in elective office and some 25 years doing political work.

No, the government wasn't prepared. In fact the government stalled and delayed and we couldn't figure out why, because as I said to the families, this was a no-brainer. Maybe that explains it. Now I see the absolute hypocrisy and tomfoolery of the member opposite standing in this House and trying to take credit, when most of those families' conditions have been satisfied not because the government moved in a timely fashion but rather because you've been shamed into it. Admittedly this bill will protect families on this side in the future and it will protect children in other countries. But you did absolutely nothing for those 34 families. You were too busy. You didn't return their calls. The minister didn't meet with them until we brought pressure.

I applaud my colleague Joe Cordiano, and I think it needs to be said tonight that there's been a private member's bill on the order paper for some months that, had the Legislature, had the government, had the will to

bring forward, could have had this passed by July. What happened to those 34 families? Let me tell you what happened to those 34 families. In addition to the heartache of knowing they had a child waiting for them in another jurisdiction, some of them found out they were being dealt with by unscrupulous agents in those other countries. One family I am aware of was paying close to \$1,000US a month while you dragged your silly feet.

Interjection.

Mr Duncan: This bill is simple. The member laughs. The member for Lanark-Renfrew laughs. Obviously he has not experienced the heartache of waiting for an adopted child. You can make fun of those people all you want. You can take your partisan stand and do your little spiel.

Interjection.

The Acting Speaker: Order, member for York-Mackenzie.

Mr Duncan: But where were you last spring when we were asking for this legislation? You weren't here advocating. You were busy closing hospitals in your riding, closing schools in your riding, and you simply didn't care.

The Acting Speaker: Member for Windsor-Walkerville, could you direct your comments to the Chair, please?

Mr Duncan: The member for Lanark-Renfrew laughs about this. He laughs about the pain those people experienced and he didn't bother to speak about this last spring.

Interjections.

The Acting Speaker: Order.

Mr Duncan: The government likes to talk a good game, but let me give you the timelines. Let me give you the time frames and highlights that the government ignored. The government ignored —

Hon Margaret Marland (Minister without Portfolio [children's issues]): On a point of order, Madam Speaker: I hope you will address the member for Windsor-Walkerville who has the floor. My point is that I hope you will address that he is out of order to refer to a member on a personal basis and not on a matter that is before this House.

The Acting Speaker: I ask all members to be respectful of each other. I was listening carefully. I would request he make an apology. However, I must say that strictly, technically, he was not out of order. But I would ask all members to try —

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): It's not a matter to play politics on.

The Acting Speaker: Come to order, please, Minister. I ask all members to try to be a little bit more respectful to each other and to address the Chair.

Mr Duncan: It would have been good if the government had brought this bill forward in February of this year, in March of this year, in April of this year, in May of this year or in June of this year, but they chose not to. Let me tell you what happened in the interim to those 34 families. Let me tell you exactly what happened.

Those children are now in the country. The government is now bringing in its legislation and is trying to catch it up to date, but we've dealt with the problem. We dealt with it through a couple of steps. The first involved a memorandum of understanding, and I must give the government credit. It did the memorandum of understanding. Unfortunately this bill, which is simple legislation by anybody's definition, that's not complicated, could have been brought forward.

The government has talked about piousness. It's talked about respect. It's talked about politicizing. The government could have solved this problem with the unanimous consent of the House, which we offered in this House in March of this year, in April of this year, in May of this year and in June of this year. In fact, we offered it on four separate occasions: unanimous consent to bring it forward.

It was the subject of a number of questions in the House. There is the private member's bill of Mr Cordiano, my colleague from Lawrence. It has been subject to much debate. The government can talk a good game but those 34 kids are in the country now, no thanks to them.

Thank God the federal Liberals were looking out for the people of this province. Let me say to the members opposite, they like to talk a good game, but when they refused to act, it was through the good offices of our federal colleagues that made sure this happened. It's unfortunate because this could have been dealt with last spring. Here we are in December 1998.

According to the government's bill, Canada ratified the convention in 1996, and since that time six provinces and one territory have ratified that convention. In fact, those six provinces and one territory had ratified it prior to January of this year, 12 months ago.

We welcome this bill and we'll support it. It provides certain rights and protections, not only for the families here in Canada who wish to adopt, but also for the children who are coming from those countries.

Here we are, December 8, 1998, a full two years subsequent to the ratification of that convention, and Ontario, the supposedly lead jurisdiction in this area, has yet to ratify it. Here we are giving our speeches. I applaud the advocates who worked hard for two years on this legislation, and I applaud the families who had to wait and endure tremendous anxiety, who were exploited in certain circumstances while this government didn't deal with it. Yes, we want to talk about it tonight for an hour and a half.

You had two years since our country ratified this convention and you did nothing. The 34 children who were caught in the maze are here.

Hon Mr Villeneuve: Name the months. January, February, March, April —

Mr Duncan: It is unfortunate that the Minister of Agriculture of this province would make light of it, that he would be proud that they have delayed it. I am proud that we helped bring those children here. I am proud we forced your hand, because it simply wasn't a high enough priority for you. If it was, why are we dealing with it now?

1910

I remind the members in the House and the people in the audience that we offered unanimous support for this bill and for Mr Cordiano's bill some months ago. It speaks a lot about this government and what its priorities are. It doesn't have time for 34 families who are caught in a terrible bureaucratic wrangle. And yes, here they are tonight extolling the virtues of their bill which is, frankly, two years late.

We dealt with those problems. We welcome the bill so that no other families will be exposed to what you exposed them to for the last year, because you could have acted and you chose not to. You could have brought in a bill very quickly and you chose not to. Otherwise, why are we debating it tonight? Why wasn't it done in January? Give me one good reason.

Mr Dan Newman (Scarborough Centre): The House didn't sit in January.

Mr Duncan: The members on the government side talk about the opposition controlling — we don't control the agenda, no more than we control the \$600,000 payout to cover a sex scandal that you forced in this House today, no more than we closed the 39 hospitals after your leader, our Premier, said, "It is not our plan to close any hospitals." You could have done this. You could have done it in 1996, you could have done it in 1997, you could have done it in 1998.

It's unfortunate the Conservative government doesn't care. You don't care. We're sitting here tonight because you didn't deal with it. I remember the night we had the families here and the minister came and gave a pious comment about the importance of legislation, and then the minister did nothing.

Mr Joseph Spina (Brampton North): You had too much bricks and mortar.

The Acting Speaker: Member for Brampton North, come to order.

Mr Duncan: Here we are in December, six or seven months after the families have been united with their children, passing a bill that from their perspective is retroactive.

I'll quote from the people who were affected. They didn't understand why you would delay. It's really unfortunate, because as I said at the time — I genuinely believed the minister on January 4, 1998, that she would deal with it quickly. It took them months just to get a memorandum of understanding. We were behind six of 10 provinces, one of two territories, and then we get lectured about how much the government cares. It's unfortunate.

I want to applaud the federal government for intervening directly with the authorities. By the way, the government didn't even get its memorandum of understanding right the first two times. The memorandum of understanding wasn't done right.

Mr Spina: Are you waiting for Herb to retire so you can run federally?

The Acting Speaker: Member for Brampton North.

Mr Duncan: The reality for all of us is that we are sitting here on December 8, 1998, passing a bill which we'll

all agree to. It could have had unanimous consent almost a year ago. It will get unanimous consent in less than two hours, in an hour and three quarters. The 34 children who are most affected are here now — the government forgets to talk about that — due to the good efforts of the federal government. It's nothing to do with this government, other than its feet-dragging. It could have been done months ago. We regret that truly.

We will support the bill. We regret that it is as untimely as it is. We regret that this government refused to respond to the legitimate needs of 34 families, 34 children. We regret that, but it speaks volumes about this government, speaks volumes about what they are about, speaks volumes about what they are not about. People won't forget, just like they didn't forget when we had the crowd of them here in March of this year. You weren't there; your minister wasn't there. You didn't bother. It wasn't important enough for this government.

You can give all the polemics you want tonight. You can suggest that you've dealt with the problem; you haven't. You are retroactively dealing with the problem. Yes, this bill will protect families in the future, but it's unfortunate that it is such a low priority for this government, because it truly was a no-brainer. It's one that could have been done very quickly. Look at the bill itself. It's simple. It's really easy. It's a no-brainer and it could have been done months ago.

On behalf of the families that have their children here, and those children were glad to see this legislation, I'll be in the House to vote in favour of it, as will my colleagues. I applaud the member for Lawrence, Joe Cordiano, who brought forward his private member's bill, a bill that would have achieved the same results as this and could have been passed seven months ago. It's most unfortunate that the government didn't deal with this in a timely fashion, so here we are, pleased to vote in favour of this bill, saddened that it wasn't done two years ago.

Mr Richard Patten (Ottawa Centre): My robust colleague from Windsor-Walkerville has explained the situation fairly clearly, that this could already have been passed. I will express a few comments on this, not in an attempt to provoke my colleagues across the floor. It is a little ironic, and I will take the opportunity because of the importance of this bill and its passage, to ask, why are we here? We had all parties agree on this bill. There was debate in the House on Bill 23, which preceded this, the bill under which this bill was drafted. Bill 23 was a bill put forward by a colleague of mine from Lawrence, Mr Cordiano, and 95% of this is based on that private member's bill. If the government chooses to overtake it rather than perhaps giving credit to another member who might not be from the government, that's fine.

Having said that, we've said time and time again that we all agree with this. What more is there to be said? Quite frankly, very little is to be said in addition to what has already been said over the hours on an issue on which we have universal acceptance. So why are we here two weeks before our Christmas break, taking up more time? The government could have come forward from committee

and said, "The request from the government is that we move immediately to a vote on third reading," and you know what? It would be finished and done.

But of course the government wants to have more time. We're here every night until midnight from now until Christmas. There are numerous bills, ladies and gentlemen, that are of extreme import and extremely contentious which are time-allocated and forced through in a limited amount of time, and this one isn't. Of course it isn't, because the government knows all the parties agree on this. We're just going through the motions in one sense, and I'm kind of sad on that note, to even have to say that.

I remind my friends in the House and anyone who may be listening to this discussion that because of rule changes that have limited the democracy of private members and individual members in this House, we get this kind of thing, which is a waste of time because there is nothing more to be said. We all agree. But because of the rule changes —

Hon Mr Villeneuve: Well, sit down. You can sit down any time.

Mr Patten: The minister says, "Sit down." I'll ask the minister, why didn't the government propose that we get on with debating other issues where we had disagreement? No, because they're afraid. Anything contentious, they are afraid of and they ram it through. Anything where it isn't, they give us hours and hours on a particular issue. They send out for hearings bills that are not at all contentious. The ones that are, that we request to have hearings on because we want to hear from the people of Ontario, they won't agree to. That's why I point this out.

Interjections.

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Mr Patten: I would like to say, given the opportunity — maybe for some members in the House the best thing I can do is essentially restate —

Interjections.

Mr Patten: The members on the other side say, "Sit down." They're so sensitive, aren't they?

Hon Mr Villeneuve: You've said it yourself. There's nothing left to say.

Mr Patten: There's nothing left to say in terms of a debate because all parties agreed to this a year ago. But when we look at recognizing what the convention does, I'll just go over this because I think it is worth revisiting. What does a state signatory to the present convention agree to?

"Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

"Recalling that each state should take, as a matter of priority, appropriate measures to enable the child to remain in the care of his or her family of origin,

"Recognizing that intercountry adoption may offer the advantage of a permanent family to a child for whom a suitable family cannot be found in his or her state of origin."

I won't read you the rest of the first part, but I will review briefly the objectives of the convention, which are:

"(a) to establish safeguards to ensure that intercountry adoptions take place in the best interests of the child and with respect for his or her fundamental rights as recognized in international law;

"(b) to establish a system of co-operation amongst contracting states to ensure that those safeguards are respected and thereby prevent the abduction, the sale of, or traffic in children;

"(c) to secure the recognition in contracting states of adoptions made in accordance with the convention."

The specific details of how this is done are laid out in the rest of the convention.

We are here to ratify the Hague convention and acknowledge the role of a UN agency that we do not acknowledge sufficiently. There are many UN agencies: UNICEF, UNESCO, the World Health Organization, UNRWA, the United Nations Relief and Works Agency, which I had the honour of working for as a student many years ago. In my opinion, many of these agencies have played an honourable, important and credible role in times in which even the member states of the United Nations were not in full agreement. To some degree this is true here, because the adoption by various states has not been unanimous. We are witness to that even here, where Ontario is the seventh jurisdiction in Canada to do so. So even in Canada we have not shown total support, nor does that agency have total support on an international basis for that convention for co-operation in the adoption of children.

I might say that over the years, I have had the honour of assisting a number of very small agencies — both in Montreal and in Ottawa, my home community now — individuals who made it their business to help provide homes for children who were facing possible death in some cases, starvation in other cases, and a very dim future. Yet the difficulties of making arrangements with the governments of the day in those countries made it extremely frustrating, extremely trying, very expensive and in fact required voluntary organizations to raise money to help provide support for travel for parents to visit. In some cases many parents couldn't visit; it had to be a third party. I'm going back a few years. Hopefully, this way of doing business, in terms of helping children to find a new home, new security, a new environment in which they can be loved to grow and develop, will be diminished significantly as we move along.

I will not carry this any further, except to reiterate that the Liberal Party supports this. We recommended this more than a year ago. Given that statement, I will sit down.

The Acting Speaker: Questions and comments?

Mr Klees: I just want to comment very briefly on the remarks by the member for Windsor-Walkerville. I have to say that it's regrettable that in the debate on this bill he allowed himself to be dragged into the gutter of partisan politics. Speaker, you will know that members on both sides of this House supported this bill. I agree. I don't

think there's anyone here who would disagree that we would have been much better to have brought this legislation forward much earlier. I advocated that very strongly, as did many members of our government caucus.

The member should know that there are realities in this House, in terms of business being conducted, that preclude a piece of legislation being advanced as often or as quickly as we would like. To use the deferral and to suggest that this government does not care about those families or did not have heart, as he put it, for those families is unconscionable. I as a member take exception to that. We as a government take exception to that suggestion.

I believe the people in this province know full well that the intention of this government was and is and will continue to be in support of the adoption process. This legislation will ensure that this will be a smooth process from this point on, it will be a credible process, it will not only support adoptive parents but will support children who are brought into this country. We look forward to this bill being implemented in this province.

Mr James J. Bradley (St Catharines): I'm pleased that the members who spoke were prepared to outline their views on this important subject. The member for Ottawa Centre was vociferous in bringing forward his support for provisions of a bill that was really the work of Joe Cordiano, the Liberal MPP for Lawrence, and others in the opposition who have tried to have a bill of this kind passed in the last few years.

My worry would be that if any of the children who were adopted from overseas were to come to St Catharines and had a kidney problem, they would not have the Hotel Dieu Hospital available to them. I worry about that, because I like the bill. I think the bill is good. I think there's a consensus on the bill that Joe Cordiano had the idea for. But my worry would be that were they to come to St Catharines, if the Hotel Dieu Hospital were to be closed, those who came to this country, who were adopted, would not have the opportunity to take advantage of some very good services which are available. For instance, they have the oncology clinic, as you know; they have palliative care there. Related to children, they have diabetic education available at Hotel Dieu Hospital. Some children may have autism; they have an autism program at that hospital. A wide variety of services are delivered in a very compassionate way.

If they were to come to St Catharines and wanted to go to Merritton High School, it might well be closed as a result of the policies of the Harris government. They have English as a second language taught at that school.

I thought the comments of the members were excellent.

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Mr Len Wood (Cochrane North): I listened very carefully to the member for Ottawa Centre and the member for Windsor-Walkerville, who pointed out that they would be supporting Bill 72 because it's a very important bill that has been brought forward that all three political parties agree on. It's now up for debate and should be passed. There's no doubt that it probably could have been brought forward earlier, as some members have

pointed out. You have a government that is spending so much time closing hospitals and threatening to close schools and a lot of things that are happening out there, in order to generate enough money to give a tax break to the wealthiest people.

I listened on second reading debate to my good friend Bud Wildman. The member for Algoma was very eloquent in his presentation on how his family has been helped to extend itself by bringing a child over from another country and adding to his family. I listened very carefully to what he was saying and how proud he was. This is a bill that all three parties can work on together and make sure it is passed. We should be working on doing a lot of other things for the betterment of the province, as is done in Bill 72, where Ontario is recognized around the world as being in favour of adoption from other countries in implementing this bill.

I look forward to supporting this piece of legislation when the vote comes up, and to making sure it gets third reading and royal assent in a very short period of time.

Mr John C. Cleary (Cornwall): I am also pleased to support this bill. I want to commend the members for Ottawa Centre and Windsor-Walkerville and also Joe Cordiano, who had the foresight to bring his bill forward. I can't understand why it took so long for the government to act on this. It could have been done over a year ago.

I have to say a little about some of the things that are happening in health care, with the VON on strike and the hospital closing in our area. As my colleague from St Catharines said, Hotel Dieu is being closed. Anyway, I am pleased to support this bill. It will be great for young people who will make Ontario their home.

The Acting Speaker: Would the member for Ottawa Centre like to wrap up?

Mr Patten: Simply to say thank you for the opportunity. I appreciate the comments of the member for York-Mackenzie, and I'm sorry —

Mr Bradley: You appreciate them?

Mr Patten: I appreciate them in a sense; that doesn't mean I agree with them.

I would point out to him that my colleague from Windsor-Walkerville has been deeply involved in this issue for some time, and I believe as an expression of his frustration, explained quite clearly and in no uncertain terms his disappointment that we haven't been able to deal with this bill previously. I also want to thank my NDP colleague the member for Cochrane North.

I also thank the member for St Catharines for pointing out something that is quite important. When we encourage that children be adopted — and of course that is a larger and bigger need and there are more and more parents who are searching for the opportunity to adopt in this province — my friend points out the importance of having adequate services. He's worried about the hospital in his community, and rightfully so. Hotel Dieu would serve people of all ages, especially children. That would be important. Then the member for St Catharines is worried whether a school called Merritton High will still exist when some of these children may be interested in going to school.

There are many things that one can point out on some of these, but in the final analysis I am happy to say that we look forward to the vote to make sure that this piece of legislation passes.

The Acting Speaker: Further debate? The member for Sault Ste Marie.

Mr Martin: I appreciate the opportunity to put a few thoughts on the record this evening and, first of all, to express my concern at some of the partisan bickering this evening between the government party and the official opposition on this bill. I don't think that's necessary. When you do something right and good, as we are doing in this instance, there's enough credit to go around for everybody, and I think everybody ought to be thanked for the contributions they have made and that they make. Hopefully at the end of the day, when we all co-operate in this way on something that is worth supporting, lots of people will benefit and our world will be a better place for all of us to live in and to call our home.

The member for Lawrence, from the official opposition party, introduced a bill that got us on the way to what we have in front of us tonight. He ought to be commended for taking the initiative and having the foresight to do that, which I think then spurred the government to actually begin to take some action and bring forth a bill such as we have before us this evening that goes further than the bill proposed by the member for Lawrence, and applies the conventions agreed to in the Hague but includes a lot more countries, so that the situation becomes more available to a lot more people.

I want to speak tonight not particularly on the bill, because I think a lot of people have, and explained the reasons for it and some of the problems that now exist while we don't have the legislation in place, and why it is so important in Ontario today, with so many families out there who want to adopt children from other countries and so many children in other countries who are looking for the kinds of homes that can be provided for them here in Ontario.

I want to talk for a few minutes about the need for the government of the day to make sure, once we have this bill in place, that there are enough resources, that the people who work with the families who want to adopt have the time to do the checks and balances that need to be done and that the resources are in place to support that, so we're not setting up something that is going to create a huge bottleneck that at the end of the day will frustrate people more than help them.

I guess it's important that we put on the record tonight, and that hopefully we hear from the government in the time they have to respond and perhaps speak again, a commitment to having in place enough resources to make sure this bill plays out the way we all, in our optimism, hope and suggest that it might and that it could.

I have to say that the track record of the government to date in making sure that resources are in place for this kind of endeavour is not good. This is an opportunity for them to put their money where their mouth is and do

something that will be helpful and that will not cause any further delay.

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I also want to comment on the fact that this bill puts in place — and, I think rightfully, challenges people involved in a very important process in this province that is international in scope — some regulation that will protect children in particular. That's something we need always to keep our eye on as we do this kind of thing.

To listen to folks today out there in Ontario and across Canada, and in particular to listen sometimes to members of the government, and I don't say this to be overly critical, but I think it's important to say it, you would think that regulation, by its very nature, was a bad or negative thing that was something put in place by government simply in an effort to intervene in the everyday life of ordinary citizens, to make life more difficult, to give them another hoop to jump through.

Around this place, we often hear regulation referred to as red tape, as if it were something to bind somebody up, to stop a process from happening, to get in the way of progress, but I don't think there is anybody who has seen this bill or understands this bill who doesn't know that regulation in this instance is put in place to protect the children who are to be adopted and come to our country to have a new home. In that respect, I just want to quote from Hansard, a small piece from the speech that my friend and colleague the member for Algoma put on the record back on November 4. He says:

"I think the reason most members of the House will support this legislation is because it is not a partisan issue. This is a matter that responds to a perceived and important need of a certain segment of the population. It makes it possible for children who might not otherwise have had the opportunity to grow up in a loving family relationship, an opportunity that many of their other friends and relatives in their own countries probably will envy a great deal. The reason we will all support it is, I hope, because all of us care about the children, want to protect them and care about the families who want to adopt them."

That's why we're doing this. That's why we're putting these regulations in place, because we care about the children and we want to protect them and the families that will adopt them. So we do a good thing by putting regulation in place. The only proviso here, as I said a few minutes ago, is that we make sure we have the resources in place to guarantee that those regulations don't simply become another bottleneck or that they do not, at the end of the day, become simply more red tape.

The other thing I want to speak about for a few minutes in considering this bill tonight is the responsibility that we have as a province to make sure that the children we bring in have provided for them and present to them all the opportunity possible to participate fully in the society that they've now joined and to live up to the potential that we all think they have and that they are able to contribute in that very positive, creative and exciting way to make their lives and the lives of the families they now belong to and

the life of the community they live in and the province of Ontario that much richer because they're here.

I think it behooves us, then, to make sure that we continue to build on a tradition in Ontario of publicly funded and publicly accessible health care systems, education systems and social programs that support people and help them when they find themselves in difficulty, as we all find ourselves from time to time as we struggle through life and some of the challenges that seem so huge and daunting at times; that we continue to build an Ontario that is socially responsible, that is of a collective, communal nature that supports one another; and that not only do we focus on the individual and individual effort but also on the contribution that we all make to the whole.

These children we bring in, whom we go and adopt and make part of our community, I think it's important to know and to realize and to understand that when a family adopts a child from another country and brings the child back to their home and their community, that little person becomes part of a broader community, and that it's not simply an individual or a family thing but a communal thing, and we all have a responsibility to make sure that they have a bright, healthful and successful future.

We do that by, together, contributing to a pot that allows for the best in education for everybody who claims citizenship in Ontario. We do that by making sure that we have the best of health care systems and programs available at no cost and accessible when you need them. We do that by making sure that we have in place social supports for all of us, and for them in particular when at some time or other they might be challenged.

I remember not so long ago speaking with a former friend from university, who chose as her life work to go and work in less developed parts of the world, doing some really exciting and interesting things of a group development nature, where she would bring people together around particular challenges and together they would look at the difficulties they confronted and come up with ideas that would help them overcome those particular challenges.

I asked her, short of going to where she is and joining her in that work, what I could do that would be most helpful to the aspirations of the people she spent so much time with. Her comment was — actually at the time I wasn't quite sure exactly what she meant, but now I am, as I've lived out my life and become a father of four children in Ontario and have experienced all the anxieties that brings with it as you look forward to trying to provide for them all of the things you want to provide for children, how difficult that can be and how anxious you can become in quiet moments as you think about whether you can actually do that or not, or you ask yourself the questions: "What happens if I become sick? What happens if I'm not able to achieve? What happens if all of a sudden one day I'm in a profession that has been good to me, that I've been good to, that I've worked at for 10 or 15 years, and that job is gone? Through no fault of my own I don't have a job any more and I have to look elsewhere for a job and my family has become integrated into the community in

which we have lived and we have to uproot and move. How would I deal with that? How would I respond to that? How would I perform under those circumstances?"

What she said to me was: "Tony, just make sure that all the things that we together in Ontario and Canada have fought for, have worked for, have built over a long period of time, our education system, our health care system, our social safety net, our infrastructure, all the things we do to make sure that each one of us has what we need when we most need it, make sure that we don't lose that, that we don't let that slip through our fingers, that we don't, through negligence or otherwise, allow that to become less of a reality for us in places like Ontario and Canada. Those of us who live and work in underdeveloped countries see Canada and Ontario as a benchmark that we look forward to one day achieving. But if your standards drop, then our standards drop as well."

As I thought about this piece of legislation tonight and I tried to imagine what we could do, as well as passing this piece of legislation, to make sure that those folks we've gone out to bring into Ontario have all that we hope will be necessary for them to be contributing, fruitful and successful citizens in our province and country, those are the things I think we have to be very careful that we don't lose, that we continue to work to improve and to make even more accessible, to make better so that we continue to be that country in the world that the United Nations and other organizations point to as the place that so many others would love to come to live in and to call home.

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I think it's important to build that context, to talk about that and to make sure that everybody involved in the bringing to reality of our participation in this Hague convention understands that's what we're offering these children. To not deliver on that promise would be, I think, morally and ethically wrong, not only for the children we bring in from other countries and adopt to make part of our home, but for the children we already have here, born into families or adopted into families in Ontario and Canada, to make sure they have a standard of living that speaks of dignity and the quality of life that we know in Ontario and Canada we can afford to give to all citizens because we have lots of money in this country and in this province.

For any young person, for any child in Ontario today to go to bed hungry at night or to not have enough to clothe themselves or be clothed, to not be able to participate in the education system in a way that speaks of learning, is not only not in keeping with the best traditions of Ontario and Canada but is also morally and ethically neglectful of those of us who have positions of leadership or who happen to have found ourselves fortunately in a position where we have enough to provide for our own.

We also have a responsibility to make sure others have the same and, if we don't do that, then I think we fall down when it comes to our responsibility and the challenge that is presented to us as we enter into the Hague convention in this very meaningful, positive and, I think, appropriate way.

The other thing, and the last thing that I'm going to speak about this evening as I put a few thoughts on the record re this bill, is my disappointment that this bill isn't somewhat more comprehensive, that it didn't include in it some of the provisions that some of us, such as the member for Riverdale, the member for Ottawa West and others, in this place over a few years have thought would be in keeping with the thinking that's around today and certainly reflected in legislation that we find now in other jurisdictions, both around the world and in Canada, re the question of adoption and the understanding that's evolving that people who are adopted should have the same right as everybody else, access to information.

I think you'll find that as we work our way through some of the challenges that will present as we open ourselves as a jurisdiction to adoption around the world, the people we bring in will at some point want to know who they are, what their history is, what their culture is, more about their religion, more about their family, issues of health and health care and the so many things that we who have not been adopted in Ontario today take so much for granted.

It's a little bit unfortunate that we weren't a bit more wholehearted in the legislation that we consider here tonight, that we've considered over a number of weeks now, to have included that in this legislation. However, we'll have an opportunity, and I say this particularly to the members of the government because you will play a major role in making sure that we move forward, that we actually evolve in a progressive and hopeful way for those who are in the adoption community, in that circle of people involved in adoption in this province, who have come together over a period of time now to come up with some things that they think should be done by way of new regulation and new legislation that would make their life much simpler and easier and would help them get on with some of the things that they have up until this point not been able to get on with primarily because they lack access to information.

If you're looking at human rights conventions, there's nothing more important when it comes to human rights for all people, I would think, than access to information about who you are, about where you come from, so that you might make decisions that reflect that as you get on with your life. Next Thursday morning in this place, we will have a chance to debate a bill brought forward by the member for Riverdale that will speak to that. I suggest that as many of you have expressed support for the legislation that we have in front of us here tonight in a very positive, constructive and, I say, courageous way, you do the same thing next Thursday morning, that you take that quantum leap, that some of you who are having reservations take a deep breath and step out in all courage and say yes to the adoption community in this province, say yes to their aspirations, their hopes, their dreams of one day soon having the same access that we who are not part of that have to the information they need so that they may make the connections that will help them become the fuller human beings they hope to become. They will then be able

to understand what it is they belong to and who it is they belong to and what their place is in the community that we all call home, Ontario and Canada.

In saying yes to this piece of legislation personally and on behalf of my caucus, I would ask the official opposition, the Liberal caucus, to say yes on Thursday morning to the bill that will be brought forward by our colleague the member for Riverdale. I would ask the government members to say yes with me to this bill Thursday morning, be here to participate in the debate, to listen to the information that will be put in front of you, and to say yes then as well because that will be a continuation of the very important, progressive and hopeful legislation that we consider and that we will hopefully pass at some point here this evening and make it the order of the day where the law concerns adoption in this province as part of the wonderful country of Canada.

That's probably about all I have to put on the record tonight. I've enjoyed the opportunity to speak, however briefly, on this. I want to thank others who have participated and suggest that it's nice every now and again in this place to have something that we all agree on, that we can all say yes to, that we all know helps this province evolve and move forward in a very important effort of family and community. I will be supporting this bill and I hope that the government will be as generous in providing the resources that will be necessary to make sure that it is implementable as they have been in supporting it as well.

Mr Len Wood: On a point of order, Madam Speaker: The member for Sault Ste Marie has just given an excellent presentation on Bill 72, but I don't believe we have a quorum in this place for the further debates that might take place.

The Acting Speaker: Clerk, could you check and see if there's a quorum, please.

Clerk at the Table: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: Further debate? Questions and comments?

Mr Klees has moved third reading of Bill 72. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

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SOCIAL WORK AND SOCIAL SERVICE WORK ACT, 1998

LOI DE 1998 SUR LE TRAVAIL SOCIAL ET LES TECHNIQUES DE TRAVAIL SOCIAL

Mr Klees moved second reading of the following bill:

Bill 76, An Act to Establish the Ontario College of Social Workers and Social Service Workers / Projet de loi 76, Loi créant l'Ordre des travailleurs sociaux et des techniciens en travail social de l'Ontario.

Mr Frank Klees (York-Mackenzie): I'm pleased to participate in the second reading of the Social Work and Social Service Work Act.

This proposed legislation is an important addition to the social policy framework of this province. It will grant formal recognition to professions that are critical to the delivery of a variety of human service programs, and it will ensure public safety and quality services.

Social workers and social service workers play critical roles in the delivery of a wide range of important services in the social, health, educational and correctional services sectors in this province. Thousands of vulnerable adults and children receive services from social workers and social service workers every year in this province. This is important and sensitive work with far-reaching consequences for individuals, for families and for our society.

Despite the important contribution of these professions to Ontario, social workers and social service workers do not currently enjoy formal recognition. In the absence of that recognition, neither this government nor the public can be assured that the services provided by members of the profession are in fact of the highest ethical and quality standards. In fact, it's possible today for an individual to hang up his or her shingle as a social worker or social service worker and set up shop providing counselling to people about sensitive personal issues. Such a person may be eminently qualified and provide valuable and important service, or he or she may not. The fact is that the public has no way of finding out.

We felt this was unacceptable. The work done by social workers and social service workers involves much more than just common sense. These professions are based on a body of expert knowledge that has been built up over many years, although I might say that it certainly does include a great deal of common sense. Clients need to know that the practitioner they are dealing with is fully qualified in that body of knowledge and is entirely familiar with professional techniques and practices.

Until now, Ontario has been the only province in Canada not to have legislation covering the social work profession. As I indicated at first reading, the proposed Social Work and Social Service Work Act fills a void that has existed in Ontario for so many years. By creating a regulatory college for social workers and social service workers, Bill 76 will achieve two key objectives. First, it will put in place the safeguards necessary to ensure public safety and high quality standards on the part of the practitioners; and second, it will extend formal recognition to these important professions.

The proposal to designate two groups within this legislation, social service workers as well as social workers, is particularly important. The inclusion of social service workers, in addition to social workers, puts Ontario at the forefront in comparison to other Canadian jurisdictions. Social service workers are not currently regulated anywhere in Canada. Their inclusion in this legislation recognizes and validates the important contribution of social service workers. Their inclusion will expand significantly the number of practitioners subject to the college's code of

ethics and standards of practice. This can only augur well for the consumer in this province.

At present, the existing Ontario College of Certified Social Workers, which is voluntary, has approximately 3,000 members. In addition, the current Ontario Social Service Workers Association, which is not a regulatory body, has roughly 1,000 members. By comparison, it is estimated that when it is up and operating, the proposed college will have a potential membership of some 10,000 social workers and 10,000 social service workers.

I'd like to describe for members how this legislation would achieve the objectives of creating formal recognition and supporting higher standards of both qualifications and practice within the profession.

Bill 76 proposes the establishment of a College of Social Workers and Social Service Workers as a self-funding and self-governing corporation. The proposed college would regulate the two professional groups and govern their members in accordance with the act. The college would be governed by a council of 21 members. A board of 21 members would allow the profession to provide for both geographical and sectoral representation, as well as ensure significant public input to the college's deliberations.

The specific responsibilities of the college are detailed in the legislation in four key areas: first, setting and enforcing membership qualifications; second, maintaining a publicly accessible membership register; third, establishing and enforcing professional and ethical standards; and fourth, promoting high standards and quality assurance in the profession through approved education programs for ongoing professional development and improvement.

I'd like to address each of these four responsibilities in turn, and explain how they will be carried out by the proposed college. A key function of the college would be the establishment and maintenance of membership qualifications. College membership would be required for any person in Ontario who wishes to use the titles "social worker" or "social service worker," "registered social worker" or "registered social service worker," or their French-language equivalents.

Those eligible to be considered for membership in the college include two broad groups: first, anyone with a bachelor's, master's or doctoral degree in social work and/or a diploma in social service work prescribed in regulations, or equivalent programs; and second, practitioners who do not have these qualifications but possess a combination of related academic credentials and experience considered substantially equivalent by the college and prescribed in regulations.

I would like to assure members that there is no intention that the proposed college would erect barriers to membership for social workers or social service workers trained in other provinces and territories within Canada. Likewise, we intend no barriers to people who are trained outside Canada. The current voluntary Ontario College of Certified Social Workers is already working closely with federal and provincial government representatives and

other provincial social worker regulatory bodies to ensure compliance with the Agreement on Internal Trade. This agreement promotes interprovincial mobility among professional groups and supports their ability to work throughout the country. This important work will continue under the new college. Similarly, the college would determine which international social work and social service work educational programs needed standards of qualifications so that graduates of those programs would be eligible for college membership.

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An important function of the college will be to maintain a publicly accessible register of all members. It would include such information as the type of certificate held by each member, terms and conditions of certification and details of revocation, cancellation or suspension of membership.

The establishment and enforcement of professional and ethical standards would be a key function of the college based on a specific definition of professional misconduct that will be developed by the college and form part of its regulations.

Bill 76 creates a number of important obligations to report unprofessional behaviour to the college. For example, employers would be required to report if they terminate a member for reasons of incompetence, incapacity or professional misconduct. Employers of college members and members themselves would be required to report the conviction of members of an offence under the Criminal Code involving sexual misconduct. Members of the college would be required to report if they have reasonable grounds to believe that another member has sexually abused a client.

Because public protection is a key purpose of this legislation, an effective and transparent complaints process is absolutely essential. Any citizen would be able to make a complaint to the college, which would investigate and consider the appropriate course of action.

The proposed procedures for investigation are in line with similar registration legislation such as the Ontario College of Teachers Act and the Regulated Health Professions Act.

The maintenance of quality assurance for the profession is a critical function of the proposed college. This would be achieved through the college's registration and complaints process and through the ongoing establishment of educational standards.

The college would determine the educational programs necessary to meet designated standards. This will ensure proper registration standards are maintained as well as establishing guidelines for the ongoing training and education of college members.

I would like to assure members that we have consulted broadly and extensively in the development and drafting of Bill 76. All three existing representative bodies of the two professions — the Ontario Association of Social Workers, the Ontario College of Certified Social Workers and the Ontario Social Service Workers Association — strongly support the thrust of this proposed legislation.

There is also strong support from elsewhere in the education field. From those involved in educating social workers and social service workers, the Ontario committee of deans and directors of schools of social work, the Association of Colleges of Applied Arts and Technology and the Social Services Education Association of Ontario have all been consulted and support the objectives of this proposed legislation.

I believe it's a mark of the maturity of the social work and social service work profession that they agree with this government on the need for professional recognition and better protection of the public. They welcome the professional accountability this proposed legislation will bring.

Members of both associations, as well as the existing voluntary college, have been persistent in advocating this move to successive governments over many years. They have worked positively and constructively with us in developing this legislation. I want to extend the thanks of the ministry and of this government to the members of the many groups involved in these professions for their assistance and support, and for their commitment to improving their profession and public services in Ontario. This legislation would not have been possible without their support.

Spokespersons for both social workers and social service workers have spoken out in favour of Bill 76 since its introduction. For example, Dan Andreae, who is president of the Ontario Association of Social Workers said, "The profession has been working for 15 years to see this day. It truly represents a win-win situation for both the profession and the public by strengthening professional standards and accountability that would benefit citizens across Ontario."

There is strong support for our proposal to include social service workers in the college. Kevin Kennedy, speaking on behalf of the Ontario Social Service Workers Association, said the following: "For years our association has been supportive of social work legislation that includes social service workers. We are extremely gratified with the solution this ministry has developed and look forward to participating in the process of creating the new College of Social Workers and Social Service Workers."

Before I close today, I would like to comment on the relevance of the Social Work and Social Service Work Act to the step-by-step reforms we're making to Ontario's child protection system.

The legislation we're considering today completely supports the direction of our child protection reforms. Self-regulating status for social workers and social service workers will play an important role in helping raise the skills of child protection workers. It will help ensure that vulnerable children receive the best possible care in this province.

This government is proud of the reforms and innovations we're bringing to the social policy framework in Ontario. The proposed College of Social Workers and Social Service Workers would support quality assurance and professional excellence within this profession. It would provide assurance to clients, to employers and to

the general public that members of this important profession are accountable for the services they provide.

This bill is part of a broader series of initiatives this government has introduced to improve the effectiveness of Ontario's social and community services system and to protect and assist vulnerable people throughout the province. This proposed legislation is therefore in the interests of members of the profession, those they serve and the people of Ontario.

We look forward to this legislation receiving approval from all members of this House. We anticipate, as we did in the previous legislation that we considered this evening, that there would be broad support from all parties and that we can move the passage of this bill along very quickly so that we can get this framework into position in this province.

I welcome the debate from other members on this proposed legislation. I look forward to the comments from members of the opposition parties and I'm sure, as we continue to discuss the implications of this legislation, that at the end of the day the people of Ontario will benefit significantly from this initiative.

The Speaker (Hon Chris Stockwell): Questions and comments.

Mr John Gerretsen (Kingston and The Islands): Certainly it's long overdue. I understand that for 15 years the different social services and social worker organizations in the province have been clamouring for this college, so I'd like to congratulate the government for actually setting up this college at this time, or at least bringing this bill forward.

There are a number of things, however, that the bill does not do that the social work profession has been asking for as well. It doesn't, for example, propose to qualify social work as a regulated health profession under the Regulated Health Professions Act. Twenty-three other professional groups do come under that act and this is an organization that does not. I would like to hear the parliamentary assistant's comments as to why it was felt that this should not be a regulated health profession under the Health Professions Act.

The bill also doesn't include the scope of practice which defines the parameters of social work and social service work practice. As we know, social workers overlap into many other professional fields. The scope of practice would not be exclusive to all social workers. I'm very interested in the comments that the parliamentary assistant may have in that area as well.

It's a step in the right direction. It's certainly something this province needs. In the years to come, with all the cutbacks in social services in general, we will probably need more social workers in this province rather than fewer because of all the social havoc that is being wreaked by this government. But perhaps as a starter the parliamentary assistant could answer the question as to why this is not a regulated profession within the Regulated Health Professions Act.

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The Speaker: Questions and comments, member for Sault Ste Marie. Are you in your seat?

Mr Tony Martin (Sault Ste Marie): Yes, they moved me up one bench. Perhaps it's a bit different-looking here tonight.

Mr Gerretsen: One more to go, Tony.

Mr Martin: I'm happy as well that this piece of legislation is before us now and that we get a chance to have the debate and hopefully take it through the process of second reading and then out to committee so that people can come and present their support, and ask questions and raise concerns. I know all of that is out there, where it concerns this piece of legislation.

It's something I've heard a lot about over the nine or so years that I've been in this place. I remember, when we were the government, having groups of professional social workers show up in my office to explain to me why it was absolutely essential that we have regulation around the profession of social work. As a matter of fact, I remember my very good friend in Sault Ste Marie, Peter McGregor, who has since passed away, a very wonderful man who contributed in some very exciting and creative ways to the quality of life of a lot of people in the city of Sault Ste Marie.

Part of that professional social work organization invited me to a luncheon once so that they could present to me and have as many people as possible talk to me about the need for this regulation. I also know that a colleague of ours when we were government, Drummond White, a social worker in the Durham area, is very supportive of this legislation. As a matter of fact, when we were government he tabled a bill as a private member, that we weren't able to find the time to actually move through the system.

I'm anxious tonight to listen to the comments of members from both sides of the House. I know there are those out there who think it's a wonderful piece of legislation; there are others who will challenge it. Let's have the process; let's go through it.

The Speaker: Questions and comments, member for Scarborough Centre.

Mr Dan Newman (Scarborough Centre): Thank you very much. I'm pleased —

Interjection: You missed Bert.

The Speaker: I missed Bert; actually, he was up first.

Mr Bert Johnson (Perth): I'll get the next one.

The Speaker: It's OK, member for Scarborough Centre.

Mr Newman: It's my pleasure to comment on the excellent speech made by the member for York-Mackenzie on Bill 76, the Social Work and Social Service Work Act, 1998. I think he did an excellent job in preparing his comments and commenting on the bill. What he said was that this will actually finally grant formal recognition to professions that are critical to the delivery of a variety of human service programs and that will ensure public safety and quality services.

I took notes as he was speaking, and he mentioned that social workers and social service workers play an important role in Ontario today in social, health, educational and correctional services right across the province. What he mentioned in his opening comments is very important: that anyone in Ontario can hang a shingle out in front of their property and say they're a social worker or a social service worker. What this bill will do is restrict that. It's a very important bill that will protect the children and all the people of Ontario by knowing there are certain requirements that people will have to adhere to in order to become a member of this college.

Bill 76, An Act to Establish the Ontario College of Social Workers and Social Service Workers, is a very good piece of legislation. Again, I want to compliment the member for York-Mackenzie for an outstanding job on his speech.

Mr Bert Johnson: I wanted to comment on the speech by the member for York-Mackenzie. The man, you can tell, is a trained orator. He puts passion into his speech. Members of the York-Mackenzie riding must be extremely proud to have a member able to get up and express himself so clearly on a bill — Bill 76, I might remind you — that will establish the professional standards for care workers in this province. I sit along the backbench here of the Conservative caucus, and I'm extremely proud to sit in the same row as the member for York-Mackenzie.

In any case, I won't take up a whole lot of the House's time in giving my compliments, but I just thought at this time of night I wanted — there is one thing I did want to ask, if I could, because it's questions and comments, and that is if the west side of Yonge Street in Richmond Hill would be part of his riding. If it is, I wanted him to say hello and congratulations to Joy Terry. I just got back from delivering her 100th birthday greetings. She's a relative of our family, and I'm sure she's up listening to hear the member for York-Mackenzie respond.

The Speaker: I will note, for the member for Perth, a warbler is a type of bird that is not remarkable for its song.

Member for York-Mackenzie

Mr Klees: It gives me great pleasure to acknowledge the compliments of the member for Perth. I want to take this opportunity to extend congratulations to Joy Terry. To the member, the west side of Yonge Street in Richmond Hill will in fact be part of my riding, the new riding of Oak Ridges, following the next election. I would hope that Joy Terry will be able to make it out to the polling booth as well. I'm certainly happy to accommodate some help to her if she needs it. Joy, I hope to see you out at the polling station.

I also want to thank the member for Scarborough and all the members for their comments regarding this bill. It is important. For over 30 years, this profession has been calling for some form of support to be demonstrated by successive governments, who have failed to step into the gap and provide this type of framework.

We're pleased to be bringing this legislation forward today for second reading. We look forward to the comments from members opposite as well, as they may well have some positive suggestions for us. We want this to be a framework of legislation that will work for this profession. We know it will be in the best interests of the people of Ontario who have need to access social services. We look forward to working with the profession.

This, by the way, will be a self-funding organization. This is not going to cost the taxpayer. We look forward to working with the profession. It will be in their interests; it will be in the public interest. I look forward to the rest of the debate.

The Speaker: Further debate?

Mr Richard Patten (Ottawa Centre): I'd like to seek agreement in deferring the lead this evening until later on.

The Speaker: Agreed? Agreed.

Mr Patten: Therefore, I shall speak within the 20-minute time frame.

2030

I'm pleased to speak on this particular bill to establish the Ontario College of Social Workers and Social Service Workers. I would venture to say that our Liberal caucus supports this bill. We believe some areas have been raised that may require some clarification, that we feel can be dealt with at committee, and that these can be resolved.

Having said that, there's no question that all of us on all sides of the House wish to recognize the historical and traditional roles that social workers and others in the social work field, I suppose euphemistically now called the social service workers, which encompasses a good many people who make their contributions.

I don't know where you begin in terms of acknowledging contributions, I suppose all the way back to volunteer days when people began to take care of their brethren and sisters in their community who were in need of support and help, and of course that graduated to organizations. Many of these organizations used to be religious organizations, voluntary organizations, and then more recently, probably from the turn of the century, we began to have social workers who were paid by institutions, voluntary organizations and then, latterly, governments that paid the fees of many of these organizations, I would say much to the dismay of some of those organizations today, because what we have inadvertently done is created a great many organizations dependent upon government.

It is my opinion, having spent 22 years full-time in the voluntary sector, notably with the YMCA in a variety of areas internationally and domestically in the social development field, that governments have tended to create some of the traditional organizations' aid dependency. I reiterate that many of these organizations today regret that and are trying to find ways to strengthen their own independence. I think that's laudable and important.

I don't want to stray from the bill at hand because I think it's important, but I thought I would at least add that context, that we're talking about a group of individuals who jealously guard their independence, and rightfully so. We do not want to see social workers or anyone working

in the social field feeling bound by dictates or the finger of political intervention more and more in the ways in which someone should operate on a daily basis. It's very difficult, because we know from many social workers with the children's aid society, to speak of one organization, let alone social workers in many other organizations, the constant stress the social workers are under, especially these days when anything goes wrong and often it's, "Oh, it's the social worker's problem," when indeed we may all need to look in the mirror and say, maybe it's the kind of society, especially the urban society, we've created, which we should acknowledge we have a responsibility to help change.

We have a responsibility to foster stronger communities, stronger social accountabilities between and among neighbours and citizens who live in the community, so that everything does not fall on the professionals in our society. It's their problem to resolve problems when families cannot cope. I say this not only for social workers; I say this also for teachers and many others who care about their community and perform a service on behalf of individuals and families in our community.

This bill is a long time in coming. Some might say it has been at least 31 years since we talked of a bill to regulate the social work profession and it predates the Ontario College of Certified Social Workers. The Liberal caucus is particularly pleased that social service workers are recognized in this bill as well. We think this is particularly forward-thinking and precedent-setting. While a lot of concerns have been expressed along these lines, it's our opinion that this can only add to the *esprit de corps* in the workplace, that people, regardless of the particular function they have, will have some recognition of the value of their work and some opportunities to develop in their particular society or profession. I think this is a good move.

Others have criticized the need for this bill. I have some news clippings from various newspapers, some quotes from various people outside and inside the profession. Some have said that this is nothing but self-promotion and an attempt by some to enhance professional status. We do not concur with this assessment. We don't share this. We do have some words of friendly advice, suggestions, some considerations that we would like to offer.

But if a criticism is given of people who would like to enhance their professional status — it would seem to me that can be interpreted as wanting to develop the highest possible professional standards, be they standards of practice, standards of knowledge, standards of skill and hopefully standards of ethics and moral integrity. I would say that is a good thing, and I take it that truly is the motivation. There are other examples of societies that have been created that I'm sure the social work professionals would know of and perhaps look to as examples. It would be in the legal field, in the health field, in the educational field or what have you.

There are professional bodies that have been established, and it is important to observe that over time there

may be areas which some of these bodies recognize they should capture or elements they should add to a full-fledged body to perform their duties, or that they perhaps should drop them. That can happen within a profession, and it does over time.

The example I would use is the bar association, a professional body that has quite stringent requirements and does annual reviews of the professional conduct of the members of the law society on an ad hoc basis and a random basis. Interestingly enough, it's my understanding that each year a number of individuals lose their status because they are not up to scratch.

However, I don't want to dwell on this aspect of the development of this body. There are some cautions I would like to share, and I do this not in any paternalistic manner; they're some we picked up along the way as we began to look at this bill, some suggestions we have made that were critical of the need for this bill. Therefore, it would seem to me that the body itself would want to take note of these points and consider them.

The first one is for the college not to get caught up unduly in professionalism, although that is important, at the expense of or by neglecting those on whose behalf they have traditionally advocated and served: the poor, the disabled, the sick, the disadvantaged, the elderly, families in crisis, those who do not have a voice, meaning children in particular, who are perhaps the greatest responsibility of social workers as we consider the range of their services. I do not mean that as a judgment that other areas are not important, because they are, but when we think of the investment we have and the importance of the growth and development and mental, physical and spiritual health of children, that they will be living for 60, 70, 80 or 90 years, the sensitivity and the importance of that role in working with children obviously is paramount. I know social workers share that view.

2040

Another issue is the area of annual fees, and some concerns have been raised about that. I would venture to say that indeed that issue is always raised in the creation of any new body. The fees, at least at the outset, tend to be reasonable, but it's important to watch over time the raising of annual fees, because of course this will have an important impact, especially on some of the social service workers, who are probably some of the lower-paid people, especially in relation to the importance of the work they perform, especially new graduates. They may just be graduating and have an OSAP grant to repay, which hopefully would not be too high, but for some students it would be considerable, equivalent to a small mortgage. So we offer that suggestion.

Social service workers have expressed concern that only those with social work degrees or diplomas will be included in the college, whereas many persons with other degrees, diplomas or experience are also working in the field. The college needs to consider creating the nature of its organization, some may say the bureaucracy. That is always a concern, that something is not unduly over-organized and over-bureaucratic, to the point where it

becomes inefficient and has difficulty serving the people it's supposed to be serving.

Although some have said that the real benefits seem to be for the social workers in private practice, who I gather represent somewhere in the neighbourhood of 20%, to give themselves status along with their professional colleagues, we also find taking place more and more out-servicing of middle management jobs, where we find social workers. More social workers are taking out liability insurance, which would suggest that the percentage of social workers in full- or part-time practice is feared to be on the increase. I suppose the statistics would bear that out.

The other concern is that the college move in the direction of truly being as inclusive as it possibly can be, without the worry or threat of watering down its practices and its definition of its area of work. It seems to me that the inclusiveness of a particular group is of vital importance. This has haunted our society, I fear, in a moral and spiritual manner. It is those who come from other countries or other jurisdictions who are not accepted within Ontario. We have to find expedient ways to deal with this, where it is not a professional barrier. Though many of us applaud our diverse and multicultural society, it is a crime, a shame and an embarrassment for our society to have so many professional people performing functions that have nothing to do with the field in which they were trained. I'm talking about people who have high professional training. This has to be one of the areas to which this college should pay some serious attention.

Having reiterated some criticisms of the bill that we're aware of and issued words of caution to the profession to ensure that they continue to be advocates for the people they work for, I want to emphasize that we're confident that they can and will be addressed. We see this bill as a very important first step. I think we all recognize that there are mechanisms, such as regulation or amendment, for provisions that prove not to work after the initial transition and that it will be dealt with as it is dealt with in most situations.

Three areas that should be addressed in the bill are the scope of practice, the ability to subpoena and external appeal mechanisms, as voiced by the Ontario College of Certified Social Workers. These could also be considered at the hearings, at which time amendments could be put forward before third reading.

This would be carving out the scope of practice. However, this may prove difficult, since counselling is not easy to define and is not a designated task unique only to social work. The overriding importance of the creation of the Ontario College of Social Workers and Social Service Workers is to govern their practice in Ontario. Our message to the profession truly is, congratulations on this particular bill, assuming it will pass. From our point of view, we hope it does, and we will be supporting it. At the same time, we urge you not to forget to be the voice for the vulnerable and for those who do not have a voice. You have a long history of advocacy and practice in this province, and we need to keep hearing from you now more

than ever. We need to help strengthen the independence by which you can continue to function and exercise your professionalism.

We're also aware that some of the government practices or policies have hurt some of the people you work with, its cuts to welfare, child protection services, education, health care and more. We hope you will continue to use your voice to point out where these deficits in services to human beings in need must be rectified. That's why it's so important that you maintain an independent voice.

We continue to remind the government about groups you encounter who are experiencing inequity and discrimination, groups who are excluded from the benefits of the broader community and groups who are caught in the widening of the gap between rich and poor, causing them dislocation and disconnection from the mainstream. We are sure you will honour and act on your roots and your history as you go forth. We, as the Liberal caucus, truly hope that the advent of this college will be another step in the creation of a body of people who have a long tradition of very important service, sometimes not acknowledged, sometimes feeling unappreciated, and this will be an important step in helping that profession to develop its fullest potential. The passage of this particular bill will make that kind of contribution.

The Speaker: Questions and comments?

Mr Blain K. Morin (Nickel Belt): I thank the member for Ottawa Centre for his remarks. It is a pleasure to rise in the House tonight and speak on Bill 76, An Act to Establish the Ontario College of Social Workers and Social Service Workers in Ontario. I will have an opportunity later on this evening to join in the debate in a fuller capacity and talk about some of the issues the NDP caucus is still concerned about in Bill 76. Although we're generally supportive of the legislation, like the member for Ottawa Centre we do have some concerns, but we certainly would like, and have the ability tonight, to rise and thank the Ontario Association of Social Workers for their hard work in this matter.

2050

Of course, if there's one issue that all members of this House would concur in, it's that all parties are very concerned about public protection, especially around the most vulnerable people in society, the recipients of social services and social assistance in Ontario. I have had the opportunity to speak with several social workers, particularly in and around the regional municipality of Sudbury, which of course is where I pride myself on having been a municipal employee for some 15 years with the city of Sudbury. I have had the opportunity to work very closely with a lot of people at the regional municipality of Sudbury and have watched under this government the migration of social assistance and some of the concerns that social workers have around this government's changes. Although I believe that a lot of what is proposed in Bill 76 is good, there are some very fundamental issues that I believe we need full and public consultation on, and I welcome the chance tonight to rise and join in the debate.

Mr John L. Parker (York East): I listened with great interest to the remarks from the member for Ottawa Centre on this most significant bill. I listened also to the remarks from the member for York-Mackenzie, who also spoke quite eloquently on the virtues of this bill. It's timely legislation, it seems to be gathering the support of both sides of this House, and I think that's a good sign for all of us in this chamber and for the citizens of Ontario generally. I commend the member for his remarks. I am grateful to hear that this bill has his support. I am pleased with that and I am also very pleased with the thoughtful and eloquent remarks that he delivered in support of the bill here this evening.

Mr Martin: I want to offer my congratulations to the member for Ottawa Centre for some very thoughtful comments on this bill. I think it's an important piece of work that we are dealing with here tonight. Certainly it will affect the lives of a lot of people out there across the province, most particularly the professional lives of people involved in social work.

As I said in my previous two-minute opportunity, there are a lot of people in the profession out there who want this, who want the regulation, who want the framework within which they work to be more defined. The bill is somewhat lacking in that it hasn't described the scope of practice. That has been brought to my attention by some of my friends in Sault Ste Marie who have spoken to me about this bill, and I think it's an important piece of any act to regulate a profession of this nature and will need to be looked at.

There are people out there who don't agree with this bill, who are challenging it, who say it's going to be too restrictive and it's not necessary in the world that we live in to regulate the profession of social work in this way. They'll be coming forward too to put on the table their thoughts and their concerns, and I think we need to be open to listening to what they have to say, because we all benefit from the contribution of others, particularly when it's presented in a well-thought-out and careful fashion. Certainly CUPE, as a group, have written to all of us to express their very deep and serious concern about this bill and how it may affect some of their members in the excellent work they do. We'll be listening, we'll be wanting to participate and we hope that this goes out to hearings.

Mr Klees: Just very briefly, I want to thank the member for his thoughtful comments and support for the legislation. I would just express my concern over the delay in bringing second reading of this legislation to completion this evening. I know the third party intends to continue the debate unless between now and the end of this evening we can convince them to agree to complete second reading so that we can get this important piece of legislation on to the next step. I encourage the members of the third party caucus to consider or perhaps reconsider their position on this so that we can at the end of this time of debate have second reading and complete that order of business so that we can move on with this.

The Speaker: Response? Member for Ottawa Centre.

Mr Patten: I would like to acknowledge the comments from my colleagues the member for Nickel Belt, the member for York East, the member for Sault Ste Marie and the member for York-Mackenzie. It seems to me that we concur in our analysis of the bill, that essentially we are in accord — there may be some minor aspects that need to be rectified or addressed or at least debated further — but that this should go forth, and in the spirit of the goodwill of the members of the House, that such would be so. In that spirit, I simply say that I hope this will continue and that we will be able to have passage of second reading and move on to third reading.

The Speaker: Further debate? Member for Nickel Belt.

Mr Blain Morin: I have listened to the government and their approach on it. However, I would like to take the opportunity to have a few words on the bill. I believe it's incumbent upon us, especially with some of the concerns that we have about Bill 76 and some of the response that we have heard out there about certain shortcomings of Bill 76, and I'd like to enter into the debate tonight and bring forward some of those comments that are really important to the people of the regional municipality of Sudbury, as the member for Sudbury encourages.

Mr Rick Bartolucci (Sudbury): But tell us, are you in favour of Bill 18, Blain?

Mr Blain Morin: We're debating tonight the Social Work and Social Service Work Act, Bill 76. This bill establishes the College of Social Workers and Social Service Workers in Ontario, and it's particularly good, and no one will argue the point that it's particularly good, to have qualified people serving the people of Ontario, especially in the social services field.

Trained people with academic qualifications is what Bill 76 refers to. It refers to setting up a college and it refers to having qualified people serve the community. In my experience as a municipal employee with the city of Sudbury, I have had the opportunity to talk with a lot of members of the social services department in and around the regional municipality of Sudbury, and one of the things I'm most impressed with is the professionalism and the academic achievement of a lot of the people who work there. In fact, all of the people who work there have ultimately gone through some sort of training and qualification in order to perform the duties and serve the public, especially around social services issues.

In talking with Wyman MacKinnon, who is an eligibility review officer and who works at the regional municipality of Sudbury, Wyman has talked about the three-year program that he took at Laurentian University and he talked about the challenges that face those social workers today as well as the challenges that now face —

Mr Bartolucci: Tell us, are you in favour of Bill 18?

Mr Blain Morin: The member wishes to debate Bill 18, but unfortunately people are here tonight to talk about Bill 76.

2100

If we look at the eligibility review officers, and when we start talking about the dedication and academic

requirements of social services people, we'll find that a lot of the existing social services workers in Ontario have already accomplished an academic level. What we're concerned with is the way this government has approached issues around educational requirements, around Bill 55, the apprenticeship act that was jammed through by this government, which looked at skill sets of apprentices and talked about dividing those skill sets and about developing a bunch of unqualified people or half-qualified people in Ontario, and how that would deteriorate the skills of people serving the public and the public good. With Bill 76, we believe, as a party, that we need further consultation on some of the areas that I hope to highlight tonight in my presentation before the House.

We believe Bill 76 should go to committee. We believe it needs full consultation. We believe that this government has to allow it to go to full consultation throughout the province and not some of the stuff that we've seen beforehand, particularly around issues like the apprenticeship bill, Bill 55, that went to six cities in the province and yet really affects a large host of people, or Bill 99, which I know the members of the government don't like talking about. That was the workers' compensation reform, a reform that deals with 300,000 injured workers a year. All they say is, "Workers shouldn't be injured any more," and "Don't get hurt at work," and that's their answer to it. Those consultations didn't go throughout the province. The problem was, they only went to six cities in Ontario. The government committee that went out didn't really want to listen to the citizens of Ontario.

What we need here and what we're asking for — and I know the government side of the House is going to give us their assurance tonight and they're giving me the assurance now that they will have full and meaningful consultation throughout the province with the stakeholders on Bill 76. I know they want to talk to the stakeholders, number one, the people using the system, and the people who have to use the system and implement the system and deliver those services to the people of Ontario.

There's a large group of workers who have claimed that they really need to have a say in consultation around Bill 76. There are approximately 20,000 social service workers, through the Canadian Union of Public Employees, who are really concerned about some of the aspects of Bill 76. What they've asked tonight, and I know they've written letters to the minister, is for us to bring to the attention of the House some of their concerns around Bill 76 and why they really believe that it has to go to committee and why they believe it needs full and meaningful consultation with the stakeholders.

I know "stakeholder" is a Conservative word they like using. The stakeholders in Ontario, and we're talking the language now — and the member is spelling it for me and I thank him — must have a say in what's going on. Part of the stakeholders are the people who administer the system. If we admit 20,000 stakeholders and we haven't consulted with those 20,000 stakeholders, I believe we still have to, even though Bill 76 is a really good idea, go out and talk

to the people who are applying the system and delivering the service to the public of Ontario.

I know the government will look and the government will say, "Do we really want to listen to the Canadian Union of Public Employees? It's those big union bosses again," but the 20,000 people who are involved in delivering that service through the Canadian union are not big union bosses. They're people with a lot of heart who want to deliver these services to the people of Ontario, like Wyman MacKinnon, like Debby Balen from the regional municipality of Sudbury, who take a great deal of pride in working with the public in delivering social assistance benefits to the people of Ontario. They take a great deal of pride in doing that, and I believe they need a say.

I know when you come to Sudbury with the committee hearings you'll want to hear from Wyman MacKinnon, who has been involved as an ERO for approximately 20 years and who knows all about the delivery of services and the importance of these services as well as the real importance of having services delivered to the public by qualified people.

The act speaks of quality standards to protect the public. Again, the committee should be out there talking with those stakeholders. We have to continue as government — it's our obligation, it's our duty — to go out and speak to the stakeholders of the system to find out. Part of the stakeholders in this system are the 20,000 people who want a say in this system, who want to talk about the qualifications. They want to talk about a lot of things, about caseload and how caseload is going to be a prevalent factor in this bill and how it affects some of the aspects of this bill.

I'd like to read to the House a letter from Anne Dubas, who is the president of local 79. She writes on December 4 to the Honourable Janet Ecker, MPP, the Minister of Community and Social Services:

"The Social Work and Social Service Work Act, Bill 76, has been introduced in the Legislature by your government. The bill sets out a new set of rules governing social workers and social service workers in Ontario. CUPE local 79 represents social service workers and social workers in the social services division and other areas in the city of Toronto. Thousands of these union members are signing petitions because of their concerns with aspects of the legislation."

She goes on and says:

"In order to make the issue clear to your government, we are requesting that this legislation be referred to a standing committee for public hearings. In this way, interested members of the public can make presentations and have their views known to politicians. In the past, this has proven to be a very democratic way of allowing the broader community to participate, and not just special interest groups. We believe the public has a right to be consulted on this important issue and we urge your government to conduct accessible," and that's very important, accessible, "province-wide hearings now that the bill has been introduced into the Legislature."

I agree with Ms Dubas on that matter.

Another person who has talked to me in depth about Bill 76 is a member who has been involved in working with social workers in the province of Ontario since approximately 1990 and that is Dennis Burke. Dennis Burke first got involved with the regional municipality of Sudbury in the social services department in about 1990. Again, he has problems with certain aspects of the bill.

The one thing that Dennis said that I found very interesting was that the government should be providing funds right away so the existing social workers in the system today can access the public properly and provide the essential services that they are supposed to be providing today. The funding is not there. What's happening at the regional municipality of Sudbury is there are approximately 5,500 active cases on the go. One would say, "Well, 5,000 cases aren't bad," but when we start looking at the ratio of social workers to the number of recipients, it works out to approximately 117 to 1.

I think it's important, when we talk about Bill 76, to bring to everyone's attention, and I know the government is interested in hearing this, one of the things that may derail Bill 76. If you're not funding the system now — and there are higher caseload ratios in the province of Ontario than 117 to 1 — what are you going to do when we start looking at discipline committees and those types of things? There's going to be real jeopardy put on social workers in Ontario.

2110

Let me go a little deeper. Whenever I've visited the regional municipality of Sudbury social services department, people are lined up and jammed — I believe they've moved to the eighth floor now — on to the eighth floor. They're jammed in there because of the case ratios of 117 to 1. They're jammed in there waiting for service.

Education is not going to cure the problem entirely. In fact, education may not clear that problem up at all because what we need is the flow of money so that we can hire more social workers. Those social workers, qualified, as we've said, under Bill 76, will be able to provide an adequate service so that when a recipient of social services comes in, they are going to be able to ask open questions to their social worker or their social worker assistant. They want to talk about benefits. They want to talk about eligibility. They want to talk about medical and what they're going to be covered for. We have to provide, as a government, the accessibility for those recipients to have access to social workers.

It's shameful when we start looking at the waiting list. I'm qualified to talk about the regional municipality of Sudbury because I've worked there. It's shameful when you go up and you look at the people jammed up on the eighth floor because we don't have the number of people we require to service clients. Bill 76 falls short there because it doesn't talk about adding more money into the equation. There's a real problem when you add Bill 76 and when you start looking at this, and I'll get into that in a second.

The number of assaults that take place is another issue, of course, because of the client ratio. As well, in the

regional municipality of Sudbury, I was appalled when I visited and took a tour and I started seeing the security booths that they have to put up today.

Qualification and bringing people the college aren't going to take the place of the underfunding that's going on in the system today. We have to flow money to social workers so that they're able to do their jobs.

Mr Bartolucci: Blain, what's the answer?

Mr Blain Morin: Because of the unmanageable caseloads, in Sudbury 117 to 1 —

Mr Bartolucci: Blain, tell us about the answer.

Mr Blain Morin: The member for Sudbury wants the answer.

Mr Bartolucci: I want to know the answer.

Mr Blain Morin: If you listen, Mr Bartolucci, you'll hear it.

Mr Bartolucci: What does the NDP say?

Mr Blain Morin: It creates a double jeopardy and it creates a double jeopardy for employees. No one in the House refutes the fact that we want to protect the public. No one has a problem with providing better service to social services recipients, but the concern doesn't protect the employees.

It talks about a discipline committee and it talks about looking at professional misconduct as well as incompetency. The problem with that is when we start looking at the caseloads. The problem is when we start looking at some of the numbers in the unmanageable caseloads that I'm talking about, 117 to 1, will a client be able to walk up to the college and say, "We have an incompetent social worker here"? "Why?" "Well, they didn't respond to my request," when in fact the social worker didn't respond to the request because they're dealing with a 117-to-1 caseload? How do you service clients with that kind of insurmountable mountain or barrier before you?

When you talk to —

Mr Martin: On a point of order, Speaker: I don't think we have enough people in here to hear this member's wonderful speech tonight. Do we have a quorum?

The Speaker: Do we have a quorum?

Clerk at the Table (Mr Todd Decker): Quorum is not present, Speaker.

The Speaker ordered the bells rung.

Clerk at the Table: Quorum is now present, Speaker.

The Speaker: Member for Nickel Belt.

Mr Blain Morin: Thank you, Mr Speaker. As I was saying before we were interrupted for quorum call, we were talking about the unmanageable caseloads in and around the city of Sudbury and how within the regional municipality of Sudbury —

Interjection.

Mr Blain Morin: To the member across, in my riding of Nickel Belt, we're dealing with caseloads of 117 to 1. I thought that was a really higher number, and I know the member agrees that it's an astronomical number. I have to go back, because of the quorum call and not having the government members here to hear this important debate. We talked about the discipline committee, and that's where we are now. We talked about the issues surround-

ing professional misconduct. We talked about that misconduct and incompetency.

Nobody want to see an incompetent worker in the system, which is the reason for the bill itself: why we need competent people, why we need qualified people in the province of Ontario. However, what we're worried about is the effect that unmanageable caseloads may have on that when a client would come out and say, "The reason I'm not getting service about my medical benefits or about benefits in general is because of the fact that the worker is incompetent," when in fact the issue that would be before the committee would be an issue surrounding the fact that there are just too darn many caseloads in a 117-to-1 ratio.

One of the things that might take on this disciplinary factor and that is a question we have around Bill 76 is, what do we do around discipline when we have a worker who's just following the employer's direction; when the social services worker walks in and is instructed by the employer or is instructed by the supervisor to handle a case in a particular fashion? What do we do when that member is disciplined or brought before the disciplinary committee as a result of following the employer's directions?

We're really concerned because I know this issue was brought up with the minister and I know it is something in Bill 76 that has not really been thought through yet. That's one of the reasons the government side of the House is willing to bring this matter to committee so we can have full public consultation on this matter.

I know the members, especially the member for Oxford, are agreeing with me and saying that we want province-wide hearings on this matter because of the number of stakeholders involved.

2120

Mr Doug Galt (Northumberland): Point of order, Mr Speaker: Could you send an invitation out to at least one Liberal to join us in the House.

The Speaker: That's not even close to a point of order. It's not even funny. Sit down.

Mr Blain Morin: That was an interesting point of order. As a rookie in the House, I'm glad you brought it up because now I do know it's not a point of order. But I do appreciate the member's help.

When we look especially at the disciplinary actions of the committee, where we are really concerned is when a supervisor or an employer is directing that social worker to take a specific action on a file that involves a recipient of social assistance and therefore is brought before the committee as a result of their actions. That's something about why we have the need for public consultation today. It raises concerns. As I said, we raised those concerns with the Minister of Community and Social Services. Of course, they hadn't considered that aspect of the legislation, but if we have those full and public consultations, I think groups such as CUPE and OPSEU will feel a lot better with the legislation, knowing that we've heard them out and knowing that the stakeholders in the system are now going to be listened to.

As I talked about the hearings going across the province —

Mr Parker: Point of order, Mr Speaker: I appreciate that you've indicated we can't send an invitation for the Liberals to join us, but maybe —

The Speaker: The member for Nickel Belt has the floor. I think it's important to allow the member for Nickel Belt to speak without these mindless points of order.

Mr Blain Morin: Thank you again, Mr Speaker. I know there's concern for the blue lights of the House not being here.

The bill does establish a college. When we start looking at the college, the college would have five standing committees, with at least one third of the membership from public appointees. That doesn't really seem, on the surface —

Mr Klees: Point of order, Mr Speaker: I would ask for unanimous consent of the House that we send a special invitation out to the Liberals to attend this evening.

The Speaker: Is there unanimous consent to send a message out for the Liberals to attend this evening? Agreed? Agreed.

Now, who's going to send this invitation?

Mr Klees: Through the Speaker.

The Speaker: No, that's up to you, member for York-Mackenzie.

Mr Klees: Is the Sergeant at Arms available?

Mr Galt: Oh, here comes one.

The Speaker: I don't know how you want to handle this.

Mr Klees: No, this is fine.

The Speaker: OK. Member for Nickel Belt.

Mr Blain Morin: Mr Speaker, they've told me of your power before, but I see it really works and it works very quickly. Thank you. Now if we could get democracy, if we can get hearings on this bill as quickly, we'll be doing well — province-wide consultation, of course.

As I was saying, the college would set up five standing committees, with at least one third of the membership from public appointees. I would like to hear some of the stakeholders and I would like to hear some of the discussion around the public appointees and who they would be, and certainly their take on the system and how the system affects them.

The five standing committees would be the executive committee, the registration appeals committee, the complaints committee, the discipline committee and of course the fitness to practice committee. As I said earlier in the debate, there's not a problem with setting up committees. There's not a problem with setting up standards. But where I was concerned was when I saw this government around Bill 55 and how they've taken standards away from trades such as electricians, where there will be one set of standards in the province if you're an electrician working in the construction field but another standard if you're an electrician working outside the construction field. I'm really concerned about that, because they've divided it up, and they've divided it into skill sets.

But I want to get back to Bill 76. I believe it is supportive and does offer some solid solutions. I'm in receipt of a letter from the Ontario Association of Social Workers — again, their response to Bill 76 has been most positive. They say that Bill 76 has been extremely positively received around the province, with many Ontarians looking forward to passage of legislation for public protection that will bring Ontario in line with the rest of Canada. How can you argue with that? It's not bad to set standards and it's not bad to be equivalent to the rest of Canada, especially around education. As the critic for post-secondary education, I know that we have lagged behind the other provinces when it comes to post-secondary, with all the money this government has taken out of post-secondary education.

Obviously I'm quite enthusiastic that they're not going to take money out of this service. What they want to do is bring Ontario in line with the rest of Canada, and I think that's a very positive step.

In an editorial in the Toronto Star on Monday, November 23, 1998, they talk about Bill 76: "...legislation to establish a self-governing regulatory college to oversee both social workers and social service workers."

They also indicate:

"Long overdue, the college will bring Ontario into line with other provinces, which have all recognized that these professionals can have as much of an effect on the well-being of Canadians as...doctors, nurses and psychologists who are all governed by professional colleges."

I don't believe there is anything wrong with bringing that level and that standard up when it's to the good of the public. But I am concerned that a major portion of the stakeholders in this bill, some 20,000 workers who have contacted my office, are saying that they're concerned because they believe some aspects of Bill 76 have gone unrecognized and need answers, and they want public consultation.

The article in the Toronto Star goes on to say:

"When Ontarians put themselves in the hands of a social worker or social service worker, they have as much right to expect that the person helping them is qualified and competent as they do when they go to a doctor."

Now you see my concern around caseloads, particularly when you start talking about caseloads of 117 to 1, and how that might influence the discipline committee. An employee could be declared incompetent because of their inability to keep up with the high caseload.

I know also — and people would want to debate this issue — that just like there may be incompetent social workers in the province, although I have never met one at the regional municipality of Sudbury, there may be incompetent supervisors and incompetent employers who want to downgrade and lower the social assistance rolls in Ontario to make them look good for their Conservative friends. What would happen is, they would put the push on one of these employees and they'd be intimidated, and the client would say they're incompetent. We have that problem.

I know the government may argue that. They would say, "We would never bring that forward to the college." However, there are regulatory manners in which we can deal with that today. We deal with incompetent employees through arbitration. There's a natural progression of discipline as it is, and a natural way of handling those arbitrations. Even though you have watered down the Employment Standards Act and attacked workers again, let's be careful that we're not attacking workers in this case, especially when they bring such a vital service to Ontario. People on social assistance need good service. Let's not put the onus squarely on the backs of the employees with Bill 76. As I said, and no one would argue, there are bad supervisors.

Interjection.

2130

Mr Blain Morin: We have an argument.

I think the majority of Ontarians would agree that there could be bad supervisors and bad employers. Because of that, let's make sure we're not going haphazardly into Bill 76. Let's make sure that protection is there and let's outline it. Let's talk to the social workers. Let's talk to all of them, the group of 20,000 from CUPE who have not yet come forward. We need province-wide committee hearings on this bill, because it's so important, although the framework is sound.

As I said, no one is going to argue that the public doesn't deserve qualified people to serve social assistance recipients in Ontario. But let's not hang it all on the social workers or employees. I have listened intently to the member for Hamilton Centre, who has talked and fought for workers' rights in Ontario, and I know that some members across the House say, "He gets loud." I guess you have to get loud. With everything you have taken away from working-class people in Ontario, somebody has to tell you what you're doing to them. Let's not do it to them with Bill 76.

I congratulate the member for Hamilton Centre for his efforts in fighting for the rights of working-class people in Ontario, especially around labour issues. I especially enjoyed the debate where he talked about Bill 99, and he went around Ontario listening about how this government shamefully wanted to destroy the ODP and how they wanted to destroy the Workers' Compensation Appeals Tribunal. I know, as an advocate for working people in Ontario, that he brought up the matter of Sarnia and what this government was neglecting because of its changes around Bill 99.

Looking at a couple of other concerns — I believe the member for Ottawa Centre talked a little about some other concerns with Bill 76. One issue he touched on, and I would like to go just a little further on it, was tuition and membership fees. I read from the text, and I thought this was very interesting: The college will likely be funded through membership fees, and of course these extra costs will be borne by individuals who in many cases are already underpaid. Because they're underpaid, if they need a component of training, it may be very difficult for some of them to afford to obtain it.

I was at Durham College and had the opportunity to talk with a lot of students in the province. Those students were particularly concerned about rising tuition fees in Ontario today. Students like Todd Bosak, for example, from Laurentian University, talked to me about rising tuition fees. He was telling me that students in Ontario, whether they be college students or university students, are graduating with average debt loads of \$25,000. The problem with that debt load, especially if you're in the social services field, is, how do you get a start in life? If you want to qualify beforehand to become a social worker, and we put these criteria together, with the disadvantage and the monies the government has taken out of colleges and universities, some \$400 million, that cost has to be borne by students. What students in Ontario are telling me today and telling our party, and telling all of you I'm sure because I know that you represent all of Ontario, that this House represents all of Ontario, regardless of whether they agree with the Conservative position, is that the debt loads for students are about \$25,000. In fact I was talking with one student who told me that their debt load upon graduation from university was over \$36,000. How do you get a jump and how do you go back in life after incurring a debt of that size? How do you start off?

We're concerned with the membership fee, especially in cases where social workers are underpaid. We have yet to know, will employers allow social workers time during work to go out and qualify for these jobs? How is it going to transpire? What is it going to look like?

I know that the fees and contribution requirements are going to have to be in place to maintain their qualifications and it will create undue hardship for social workers in Ontario. Some of them are concerned, and that's why a lot of them, as the president of CUPE, local 79, has said, have lined up to sign petitions against Bill 76. They're not against the framework of Bill 76, but I've highlighted a few of the concerns.

I guess I'm pleading with this government tonight. That's why we were asking for province-wide consultation, none of this stuff you always do, where you announce the night before that you're going to go to six cities across the province and you're in and out so quickly we can't talk to you. I remember those days, when I was not a member of this House. I remember sitting up here and looking for democracy in this House around Bill 99. I remember that I just couldn't believe, sitting in the hearings in Sudbury where we thought we were going to get provincial consultation and all the stakeholders were going to have a say, seeing six days of hearings and the committee not even wanting to hear from members in my community of Sudbury and not wanting to hear from people in Garson and Falconbridge and Lively and Coniston and Chappleau.

I invite the members to come to metropolitan Wahnapitae, because you have to see northern Ontario and to recognize what not allowing democracy in this House is doing, especially in places like northern Ontario, where we have a problem with the vastness of northern Ontario. Northern Ontario is such a big place that it becomes hard to service.

I'd like to go over again the letter from Anne Dubas, the president of local 79. It's not that members of CUPE are totally opposed to this bill; they're opposed to the fact that they haven't had a say and that there hasn't been proper consultation by this government on Bill 76.

"The Social Work and Social Service Work Act, Bill 76, has been introduced in the Legislature.... The bill sets out a new set of rules governing social workers...." We started looking at 20,000 social workers who have not been consulted on the bill. That is a big hole in Ontario when we start looking at the number of people serviced by this system. We know there are approximately 293,601 cases in the system in November. That was a government statistic.

2140

Mr Bartolucci: Give or take one or two.

Mr Blain Morin: Give or take one or two. I'd like to go through a list of some of the concerns that people who haven't been consulted on this bill or who haven't had an opportunity to speak on this bill are coming up with.

"The legislation envisions social workers as hanging out their shingles without any regulation. We would argue that most social workers and social service workers are employees and not private practitioners." It goes back to the point I talked about, when we start talking about setting up disciplinary committees, and because you're working for the public sector, it goes back to the point where you have caseloads as high as 117 to 1. I don't know what the highest one is in the province.

Mr Len Wood (Cochrane North): Spend more money on that, instead of spending the money on the hush money.

Mr Blain Morin: They spend more money on the hush money. If they put that hush money into social workers, we wouldn't have caseloads, I bet you, of 117 to 1.

Mr Len Wood: They're spending \$600,000.

Mr Blain Morin: That \$600,000 can go a long way in reducing those caseloads I'm talking about. Is that really \$600,000?

Mr David Christopherson (Hamilton Centre): And \$40 million for ads.

Mr Blain Morin: And \$40 million for ads. It's unbelievable.

Mr Bartolucci: What about Bill 18, Blain?

Mr Blain Morin: It would even help the member with Bill 18, he says.

Mr Bartolucci: Do you want to talk about Bill 18, Blain?

The Acting Speaker (Ms Marilyn Churley): Order, please.

Mr Blain Morin: I'm sorry, we want to talk about Nickel Belt? No, we don't want to talk about Nickel Belt tonight. That was third place in Nickel Belt. I know we're still a little sore about that. I believe the member for Sudbury is still a little bit upset with their third place finish, in Nickel Belt was it? Nickel Belt, yes. I remember. I was in that riding. We won that riding. I know they fell apart and I know he's still a little concerned about that.

Mr Len Wood: Who came third?

Mr Blain Morin: Who came third? The Liberal Party came third in the Nickel Belt by-election.

Mr Len Wood: The Conservatives came second.

Mr Blain Morin: The Conservatives came second, and you know what's really amazing is that the Conservatives really have never been strong in northern Ontario. It shows what happened with the Liberals and how they kind of fell apart in Nickel Belt, because they came third, and they were labelled first.

Mr Len Wood: That was a good poll.

Mr Blain Morin: A very good poll.

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): You may want to leave the room again, guys.

Mr Blain Morin: Let's get on with Bill 76, because I know the member for Sudbury doesn't like talking about Nickel Belt.

Mr Frank Miclash (Kenora): What about the \$600,000 you're spending for your friend Al McLean over there, Noble? Just tell us a little bit more about that. That \$600,000 will bring you guys down, believe me.

The Acting Speaker: Order, member for Kenora. Member for Perth, member for Kenora. Order, please.

Interjections.

The Acting Speaker: Order, member for Kenora. Member for Perth, come to order. OK, everybody, settle down.

Mr Miclash: Tell us a little more about the \$600,000 for Al McLean.

The Acting Speaker: Member for Kenora.

Mr Miclash: You know darn well, Noble, where all this is coming from. You know darn well.

The Acting Speaker: Order, please. That's enough. Do you have a point of order, member for Sudbury?

Mr Bartolucci: On a point of order, Madam Speaker: We're certainly talking about the \$600,000 settlement.

Mr Miclash: You will never live it down.

The Acting Speaker: Member for Kenora.

Mr Bartolucci: The member for Nickel Belt is rambling. I wonder, is there a quorum in the House?

The Acting Speaker: Clerk, could you check and see if there's a quorum, please?

Clerk at the Table: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: Member for Nickel Belt, go ahead.

Mr Blain Morin: As I was saying, as to some of the points that have been brought up by the Canadian Union of Public Employees, one of the concerns is that they don't believe there's been enough consultation with the social workers in the province around Bill 76.

"The legislation envisions social workers as hanging out their shingles without any regulation. We would argue that most social workers and social service workers are employees and not private practitioners. As employees, they have already had strong accountability from their

employers and the legislation governing their agencies, and further, the criminal law and other legislation and civil law provide adequate protection to the public in rare circumstances where there are any problems."

That is a point of view and that is why we need province-wide hearings, so that can be debated and we can hear from those stakeholders in the system as to exactly what we need to do. Again, with Bill 76 we're not saying it's wrong; we're saying that any time you try to bring in legislation that provides quality service, it's a good idea, but I plead with this government and encourage you to look at province-wide hearings when we get to committee.

"There are further concerns that the members may face a double jeopardy, both discipline from existing mechanisms and through the new College of Social Workers." This would be a question: Who would be responsible for the costs of defending a person before the college? Again, when we talked to the Ministry of Community and Social Services, that was something that they really hadn't thought about and there were concerns about that issue.

What we're saying is there's a need to go out to committee, there's a need to have province-wide hearings and there's a need to follow up with these people so that we can give them the appropriate answers to their questions.

Then we talk about social and service workers who rarely hold themselves out to the public as private practitioners. "They usually call themselves therapists or counsellors or state that they are religious counsellors. The legislation appears only to cover people who want to use that designation, and there's concern from some social workers that I bring forward, that we are concerned that the stated purpose of protecting the public will not be accomplished through this legislation.

"People who are now working in social services or social work have come to the field from a variety of backgrounds."

Interjection.

The Acting Speaker: Member for Kenora, I'm warning you.

Mr Len Wood: He's concerned about that hush money, \$600,000.

The Acting Speaker: Member for Cochrane North, come to order. Member for Nickel Belt, try again.

Mr Blain Morin: We're almost done. People working in social work "have come to the field from a variety of backgrounds such as nursing and the field of social work has been enriched by this diversity." The Canadian Union of Public Employees is also concerned that "people working in immigrant services and other cultural groups may get excluded as a result of this legislation and the existing diversity in the field of social work could be lost through the setting of standard qualifications by the college."

These are legitimate concerns that I believe this House has an obligation to go out and seek consultation on, from people like Anne Dubas, president of CUPE, local 79, a very good person who represents social workers and social services divisions in areas of the city of Toronto and the entire greater Toronto service area.

We talked about my experiences working in Sudbury with some of these social services people at the regional municipality of Sudbury, and in particular people like Wyman MacKinnon, who has dedicated his life as a social worker, and another person is Debby Balen. It's very interesting to watch Debby. Debby is a very committed social worker at the regional municipality of Sudbury. For example, every time we see her, Debby is one of these people who doesn't want to stop and take coffee. She doesn't want to stop and get into office politics or anything to that effect. Why? Because she's committed to the clients in the field.

The clients in the field deserve those qualified people. There's no argument about that. I know at the regional municipality of Sudbury many of them are qualified and many of them have already gone through to a point where they have got the requirements that are dictated by the college.

2150

Nevertheless, we have to provide the ability for those social workers to go out and obtain that education. Part of the problem with obtaining that education is that they have to have access to those post-secondary colleges and universities. I believe one of the toughest things for the existing social workers today is the funding of membership fees and fees for membership around this legislation.

I believe we have to have a little bit of dialogue as to what those fees will be, because if we look at the big picture in Ontario and we start looking at the issues, a lot of social workers are not making \$60,000 a year and they're not making \$50,000 a year. In fact, a lot of them within the regional municipality of Sudbury were temporary workers, some of them making as little as \$25,000 a year.

One of their concerns and one of the reasons they've signed petitions against this bill is that there hasn't been that open dialogue with this government. That open dialogue has not taken in the concerns of some 20,000 workers who work in the social services field in Ontario. The extra costs: We have to talk about those extra costs being borne by those individuals.

If you are a social worker making \$25,000, my goodness, do you take time off to go and pick up the rest of the qualifications? What do you do? If I'm a social worker in northern Ontario and I'm working out of a satellite office in Chapleau, where do I pick up my education? Where do I go? One would argue that if I live in the greater Toronto area I could go pretty well anywhere. It's called distance disability. That's a good word for it. I thank the government for that word because it is a good word. There's an impairment for the people of the north because we don't have the ready access; we don't have that availability to go and get hands-on instruction at a community college.

If you live in Chapleau, if you live in Gogama or Foleyet or Whitefish —

Mr Bert Johnson: Chapleau's pro-business.

Mr Blain Morin: I said Chapleau. But if you go to Chapleau, for example, you will not be able to obtain and access the post-secondary education or these specialty

courses. They're impaired. The government may argue, "Well, you can go on the Internet to get the requirements." Well, no, you can't because there are a lot of areas in my riding, like Shining Tree, like Westree, that don't have access and Bell does not have the technology put in there.

Mr Len Wood: All public lines.

Mr Blain Morin: They're all public lines. They're radio phones in a lot of cases. Because of it, these people aren't hooked on to cable TV. You have to see the diversification of the north and the vast distance to understand those issues and how tough it may be for people to get that required education and post-secondary education in the north.

No one argues with the fact that we want to provide better public service. No one argues with the fact around Bill 76 that we need qualified people.

Mr Klees: Let's get on with it.

Mr Blain Morin: We will get on with it; four minutes and we will be on with it.

What we need to do is maintain the quality services we've got. Part of the problem with the quality services is the way this government has ignored the piles of case ratios for social workers in this province. I was astounded and appalled. I talked with the member for Cochrane North and we couldn't believe 117 to 1. We couldn't believe it, and a lot higher in this province — 117 to 1. It's just a disgrace what's going on.

The Acting Speaker: Just a moment, member for Nickel Belt. Point of order, member for York-Mackenzie.

Mr Klees: Madam Speaker, on a point of order: After hearing the member, let it be known to all men that Gerry Courtemanche is dearly missed.

The Acting Speaker: Thank you. That's not a point of order. Member for Nickel Belt, go ahead.

Mr Blain Morin: There is an obligation to protect the public, but again, what we're saying is, take a look at the big picture. Let's make sure that we are not setting up discipline committees to set up employees who are simply taking direction from their employers, who are simply taking direction from a front-line supervisor, because when we look at social service agencies we know they have criteria, we know they have rules and regulations and we know that there are going to be problems.

We're not saying that the context of Bill 76 is all bad. We're saying there are some good things here. When you talk about quality service to the public, when you talk about qualified people and people with qualified academic requirements servicing those clients, there's nothing wrong with that standard. But let's make sure that we're not taking a large group of people who work in this field every day out of the loop or deeming them unqualified with this bill. I don't believe what they have passed on to us is all bad. I don't believe that asking for public consultation in province-wide committee hearings is bad; I believe it's beneficial. I believe that the people of Ontario, the stakeholders, the recipients, the CUPE workers, the OPSEU workers, those who work in the system every day, as well as the workers involved in passing on these services, should have their say. That's what CUPE is saying,

and I don't believe that it's bad, I don't believe it's the wrong direction; I believe they're just asking you to slow down and take a look at what's going on.

Going back, I agree with the Ontario Association of Social Workers that we have to bring the standard up and that the standard in Ontario should be in line with the rest of Canada, but let's not take 20,000 workers or 30,000 workers and put them into a bind where there are a lot of problems. Let's not rush. Let's make sure —

Mr Klees: It's been 12 years.

Mr Blain Morin: You've had five years, I remind the member — and let's just bring it in line and hear what the stakeholders have to say, because 20,000 social workers in this province have not been consulted about how to make the system better. That's what they're saying.

Don't ram through redundant, draconian legislation again and go back, like Bill 79 and eight revisions, saying, "Here we go again, we're going to revise the revision." Let's not do it. Let's just have those consultations and those committee hearings.

The Acting Speaker: Questions and comments?

Mrs Helen Johns (Huron): I listened intently to the member opposite, and I would just like to say a couple of things that I think are important for our viewers at home to know.

When I came to the Ministry of Health as the parliamentary assistant back in 1995, one of the first contingents that came in to see me was a group of social workers from many different spheres, I think from the public sector, from the private sector, who wanted us to move forward. They told me at that time that it had been some 15 years they had been lobbying governments to move forward on this. In fact, they talked about the concerns for public safety. That's why, when the member opposite was talking about how this was double jeopardy, I thought that this is a very strange thing for a member of the third party to be talking about, as they profess to be so concerned about the vulnerable, the children of society.

2200

We are concerned about these people. Anyone can hang out a shingle in Ontario right now. Anyone can say, "You can come to me and I'll work with you in a social worker role." We need to clarify this. We need to protect the people of Ontario. Social workers recognize it; the people who take the services from social workers recognize it. The member opposite is saying that CUPE employees and OPSEU employees are concerned about this. I don't believe that to be true; I believe that the CUPE workers and the OPSEU workers of Ontario are concerned about people's safety, they're concerned about protecting the most vulnerable in our society and they want us to move forward with this. After 15 years of lobbying all governments of all stripes, they want this to pass. We have letters that have been signed by the Ontario College of Certified Social Workers and the Ontario Association of Social Workers that prove that.

Mr Bartolucci: I listened intently to the comments of the member for Nickel Belt. I'm just a little concerned. First of all, he never worked for the regional municipality

of Sudbury, he worked for the city of Sudbury, and I must say that I take exception to the nine times that he abused the workers at the regional municipality of Sudbury. I cannot understand for the life of me why he would challenge the integrity of the people from the regional municipality of Sudbury. If he wants to debate Bill 76, that's fine, but when he says that the administrators at the regional municipality are less than credible, when he says that the workers at the regional municipality are less than dedicated, I really have strong concerns about that. This is the guy who never associated himself with the people at the regional municipality of Sudbury, and now I have to tell you that this is a guy who, if he talked to the people, would find out just how hard they work.

Interjections.

Mr Bartolucci: You know what? They can babble and they can chant and make a noise, but the reality is that the member doesn't speak for the regional municipality of Sudbury social workers. They understand that they need the type of legislation that will improve their lot.

He has said that these people do not work hard. I take exception to that. I was a councillor for nine and a half years and I can tell you that these workers work very diligently. If he is going to debate the bill, I don't mind, but when he picks on the people from the regional municipality of Sudbury, I take great exception to that.

I don't care if he wants to name-drop. I don't care if he wants to threaten. I'm not interested in that. The reality is that we have to ensure that this happens.

Mr Christopherson: I was waiting for the moment when the member for Sudbury was going to promise a chicken in every pot, because what that was all about was Sudbury politics and it had absolutely nothing to do with the excellent speech by the member for Nickel Belt regarding Bill 76. I must say it's a little unseemly, given the way he's doing it. He usually has a lot more finesse and style when he approaches things, but maybe he's more scared than most people think.

I thought the member for Nickel Belt gave an excellent speech and covered a lot of the issues we are concerned about and I would think that a lot of members of this House are concerned about. One of the ways to ensure that we are getting things right is to listen. I know that doesn't come easily to the Harris government. We know from Bill 7, where you rammed through a brand-new Ontario Labour Relations Act without one minute of hearings, that you're not keen on listening to people in a democracy; when you rammed through Bill 31 with no public hearings, that changed in a major way the business of the construction sector in this province; when you rammed through Bill 36, which gave us a brand-new Election Act in terms of the laws that will define how the next election is run, and you didn't allow the public to have any say in that either.

I think it was quite appropriate that the member for Nickel Belt would take the time he did to point out that as a new member, the newest member of this Legislature, he wants to listen to what people have to say. He's asking you not to treat this bill the way you have other bills, and

not treat the public with the disdain that you have in the past, and not treat democracy with the disdain that you have in the past, and give people an opportunity to have their say so that everyone in Ontario can participate in our democracy.

Mr Klees: The member for Nickel Belt really emphasized for us on this side of the House that Gerry Courtemanche would have been welcome here. I have to congratulate the member for Sudbury for his most passionate plea in defence of the hard-working people of the regional municipality of Sudbury. I can't imagine that the member for Nickel Belt would have taken the time that he did to focus on the negatives rather than talk about the positive aspects of the bill before us.

Mrs Sandra Pupatello (Windsor-Sandwich): You just get to spend all that money up there in the by-election.

The Acting Speaker: Member for Windsor-Sandwich, come to order.

Mr Klees: I just want to leave this thought with you: You had it in your hands this evening, members of the New Democratic Party, to give second reading and a vote to this bill to move it forward. You have chosen not to do that. You will have to answer to the social workers of this province for that responsibility.

Mr Christopherson: You want to sit over here and we'll sit over there and take responsibility.

The Acting Speaker: Member for Hamilton Centre, come to order.

Mr Klees: No, you're sitting right where you should be. The people of this province have given you that position in this Legislature. What you should have done as you sat over there — for 12 years these people have been lobbying your government, the previous government and this government to move this legislation forward. It is before us now. You now have the responsibility to say yes or no. You're saying no by the very fact that for the last hour we have heard a great deal of talk about union membership, about why this shouldn't go forward; we have heard very little —

Mr Len Wood: What about the Tories?

The Acting Speaker: Member for Cochrane North, come to order.

Mr Klees: — about the principles behind this legislation. You will have to answer for that.

Mr Len Wood: What about the government members? They wasted all night talking about nothing.

The Acting Speaker: Order.

Mr Klees: Move this bill forward for second reading, we plead with you.

Mr Blain Morin: I'm concerned with some of the comments I've heard because we are concerned about quality services in Ontario. Let me be very clear about that. What we are concerned with is workers, workers like Anne Dubas, who has said to us, "Hey, we've got some concerns about this bill." But this government doesn't want to hear the concerns about the bill.

We listened to the member for Sudbury, who is already in fine election form and says that I torpedo the members who work — and I've worked side by side with these

people. Even though I was an employee from the city of Sudbury, I've known these people like Wyman MacKinnon, like Debby Balen. I'm impressed with their dedication to the field. I'm just saying let's take a look here, folks, and let's not take any of them out of work, because we don't know how Bill 76 is going to work.

Something you're a little shy on is listening to people who want to talk about democracy. The minister gets a letter from 20,000 members in Ontario and you say, "I'm sure we've consulted them." Come on. When we look at it, it's insulting to those 20,000 people from whom you don't even want to hear. Just like it's insulting when the member for Sudbury says, "Oh, you're twisting the words about the dedication of social workers." Hardly. I admire what they've done. Mr Bartolucci is talking about reading and everything else. I don't know where it comes from. We are impressed with the dedication of social workers in Ontario.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I move adjournment of the debate.

The Acting Speaker: Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

Those opposed, please say "nay."

In my opinion, the ayes have it. Carried.

2210

FUEL AND GASOLINE TAX AMENDMENT ACT, 1998

LOI DE 1998 MODIFIANT LA LOI DE LA TAXE SUR LES CARBURANTS ET LA LOI DE LA TAXE SUR L'ESSENCE

Mr Sterling, on behalf of Mr Hodgson, moved third reading of the following bill:

Bill 74, An Act to amend the Fuel Tax Act and the Gasoline Tax Act / Projet de loi 74, Loi modifiant la Loi de la taxe sur les carburants et la Loi de la taxe sur l'essence.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I would like to share my time with the member for Northumberland. I believe this bill is fairly straightforward and hopefully we will not require a great deal of time on third reading debate as we had a fairly lengthy debate on second reading of this bill.

The Acting Speaker (Ms Marilyn Churley): Further debate?

Mr Doug Galt (Northumberland): It's interesting to have listened to some of the debate across the House here earlier this evening as they talked about doing different things, more righteous than now. It's interesting to look back at the last five years of the previous government. In their whole last year, the NDP government only sat here for five weeks. That's 20 days. Just imagine the number of bills that could have been passed, such as this one they were just discussing. It's a shame they couldn't have been

here in the House carrying on the business of Ontario rather than not coming back.

Mr Wildman, for example, has brought in a bill for the environment. It's a private member's bill. It could have been brought in during that year. In the other 47 weeks of that year they could have been here in the House passing bills like the one on the environment, passing bills like this one that the member for Nickel Belt spoke on. It was a good speech. It's good to have him in the House. I'm impressed. He's just been here a few months and he's doing a great job.

I'm really worried that the leader of the New Democratic Party is going to let his wife run in that riding and he's not going to get a chance. I think that would be unfortunate. This is a man who should run in that riding for the NDP. If he gets bumped, I'll tell you, it's going to be very unfortunate.

I'm sure our House leader would like me to get on with the bill at hand, Bill 74, where we're talking about the gas tax. Whenever the gas tax comes up, there are a lot of people in my riding who are pretty concerned about where this gas tax goes. We're paying 14.7 cents per litre to the province of Ontario for gasoline, and we pay 10 cents a litre plus GST to the federal government. It's an excise tax plus the GST. I guess that works out to about — well, I better not do my mental math here.

A lot of people want all of those taxes, particularly the ones coming to the province, to be going to some of the municipal roads. I would suggest that if the federal government paid a little bit of their taxes towards the roads — I know there are just a few million that end up going to some of the roads in Ontario, but it's very little compared to the amount they take in. I'm sure the province would look favourably at it if the federal government just did something with their gas tax and repaired the roads in Ontario. Certainly it would be appreciated by a lot of people. The kind of tax that's been spent on roads in Ontario since 1995 has never been equal.

When we came to office, I remember very well the member for Cornwall complaining bitterly about the potholes on the 401, driving up here. I haven't heard him complain in the last year or so. Those potholes, of course, were there because of the lost decade when very few dollars were being spent either by his government or the NDP government to repair those potholes. I'm sure the member for Cornwall is now driving by all of those centre barriers, driving on a road that's smooth, where there are very few potholes. I'm sure he appreciates the fact that the tax being collected on gasoline, and fuel in general, is going for the right purpose in Ontario. It's building an infrastructure so we can move the goods in Ontario throughout the province, throughout the nation, and also to export them.

It's interesting to note, Madam Speaker, or Mr Speaker — they keep changing on me — the number of transports on the highways today. If you were to go down the 401 right now, east of Toronto, you would see convoys of 12, 15 transports running as a group. That wasn't happening three or four years ago because people were not buying

the goods. There wasn't the consumer confidence in Ontario to be buying. There wasn't the business confidence for industry to be building and making the widgets to sell to the people of Ontario or to be exporting.

Mr Frank Miclash (Kenora): On a point of order, Mr Speaker: I don't believe we have a quorum.

The Acting Speaker (Mr Tony Martin): Is there a quorum?

Clerk at the Table (Mr Todd Decker): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The member for Northumberland.

Mr Galt: I was asked about Craig Nuttall. I really don't remember the individual but I understand the Liberals would remember him quite vividly.

We were talking about some of the taxes collected for the roads, and that leads to gas pricing as well. It's interesting to note that the McTeague report was tabled in June 1998 in the federal government — this is a Liberal federal government — recommending that there be protection from gas overpricing. Of course, typical of a Liberal government, the feds are not doing anything about this excellent report. Our own Minister of Consumer and Commercial Relations has appointed a Consumer Watchdog Commission. At least they are doing something. They get out and monitor the prices.

I don't know if it had anything to do with this commission or not, but driving through Trenton on Saturday evening, I saw the price of gasoline at 36.9 cents per litre for gasoline in Trenton. That's part of the Quinte riding of Doug Rollins, one of the members of this commission. Maybe it has involved his monitoring and checking these stations. I don't know how long it's going to stay down that low, but it's interesting to see that it's there. Speaking of the riding of Quinte, the resolution that member brought in the other day on the fixing of gas prices was interesting.

It's been very frustrating for the consumer over the last several years to see the fluctuating price. It goes up on Friday and stays up until Monday. Especially in the tourist season, when people are wanting to go to the cottage and get out and travel, or go for day trips on the weekend, they get hit by these high gas prices. And they all go up in unison. You really have to question just what's going on out there. Of course, the Combines Investigation Act is part of the federal government. They're the ones who are supposed to be acting and monitoring this kind of thing. It just doesn't seem to be happening.

We're into third reading of Bill 74, An Act to amend the Fuel Tax Act and the Gasoline Tax Act. Basically, this is a housekeeping bill. We've had a lot of complaints about bills being too thick. We've also had complaints about bills being too thin when they've just been four pages. This one must be just about right for the opposition. They haven't been complaining. It's only some 31, 32 pages. Like Goldilocks, it's just the right size.

This bill amends the Fuel Tax Act and the Gasoline Tax Act to implement measures contained in the 1997 and 1998 budgets. There are a lot of interesting aspects to this particular bill as you leaf through it. There's quite an important section in here on measuring volume and calculating the tax. Any student who has gone through physics knows that as a liquid cools it gets smaller and as it warms up it expands, and therefore it's a different size to be measured going through the pump. This act requires that it be calculated to 15 degrees Celsius. A lot of the gasoline coming out of the ground would be in that neighbourhood.

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There's also a section in here, "No person shall place or cause to be placed any unauthorized fuel in a fuel tank of a motor vehicle to which a number plate is attached as required under the Highway Traffic Act," things that probably should have been here all along.

"Designation of distributor" is something that's tremendously important. It helps to bring it in line with some of the other tax structures in our country.

"Trust for monies collected": Well, of course you can't allow those dollars to lay around, at least the volume that's taken in on gasoline. It's almost more in taxes than for the product itself. Trusts are set up so that these dollars can be collected.

There's a section in here on the export of fuel as fuel moves back and forth across the border.

Then there's one on dyeing, the colouring of fuels in general and where and when these fuels are supposed to be coloured; the use of the dyes. The minister must approve the kind of dye that's going to be used for this purpose and what is exported as well.

It's also good to have in the bill the offence if unauthorized fuel is used.

This bill is actually very complete on covering and grouping together the taxes that should be used and should cover when gasoline is sold.

When we're talking about taxes, it's interesting to note — and I talked a bit about it this afternoon — the position the federal government is taking or at least that the finance committee is reporting to the Minister of Finance. We sincerely hope the Minister of Finance will pay attention to this finance committee that is recommending that there be \$3 billion slashed in taxes federally. All we can do is say, "Amen." We just hope that Paul Martin will follow through.

Mr Dan Newman (Scarborough Centre): He won't.

Mr Galt: Probably he won't, as one of the members says. That's the typical tax, spend and borrow of a Liberal government.

This committee states that Canadians deserve a tax break. We found that out back in the early 1990s. When we were consulting across the province, we found out that people were really upset with the level of taxes in this country. We look around Canada and we see how many other provinces have cut taxes. We look at the States where taxes have been cut. What happens when taxes are cut, especially income tax and sales tax? The revenue goes up, because you stimulate the economy. If the tax was

really low, that wouldn't happen. But when you get taxes up to the ridiculous level that we have in this country, it's not surprising that should happen.

This committee goes on to recommend that the 3% surtax for people making an income of over \$50,000 a year should be cut. I couldn't agree more. The Liberals in this House have been stating on a regular basis that all the tax cuts are just for the rich. Here we have a Liberal finance committee recommending that the 3% surtax be removed for those people making \$50,000 or more. The federal cousins and the local provincial Liberals really should be discussing this and getting together on a common theme.

To go to the next step, there's a recommendation that the 5% surtax be reduced on those people making \$65,000 or more. Again, it's talking about the rich. I guess if you make over \$65,000 a year, the Liberals would consider that rich, and they would disagree with their federal counterparts. It's also interesting to note in their report that the federal surtax on incomes in this country was a temporary measure. We all know in this House that the Income Tax Act in the first place was a temporary measure.

I guess after — what is it? — 70, 80 years of income taxes in this country, we can now consider it a pretty permanent tax. Although it was brought in as temporary, it's just like these two surtaxes, if something isn't done, if you don't push a Liberal government, they'll hang on to those kinds of taxes forever and a day.

It goes on to state this MP from Vaughan-King-Aurora — and I apologize, I won't try to pronounce his name, I'd make such a mess of it, but he is the one who is saying, "People want tax relief." Manley is saying, "Cut taxes to stimulate the economy." One after another the federal MPs are saying this. They're getting the message, although the provincial Liberals don't seem to understand it.

"Tax reductions are necessary to keep Canada competitive with the US," the report says. Let me tell you about a Canadian — I mentioned this this afternoon — who worked in Silicon Valley in California, making \$100,000 Canadian and he was paying \$15,000 in taxes, income tax and his health insurance. He moved to Silicon Valley North near Ottawa, making the same salary, and how much income tax does he now pay: \$45,000, an increase of \$30,000 in taxes. A third of his income was increased for taxes alone, and that's typical of coming to a country where it's overtaxed. What's he going to do? It's part of that brain drain. He's going to leave Ontario to go back to California.

Why is the federal government having a problem with our professional athletes? It's the very same thing. The professional athletes are not going to stay here, at least the good ones. They are going to head to the States because the taxes are so much lower. The federal government is recognizing it and they think they should do something about it. Should they be helping the annual multi-millionaire sports figures, all these athletes, or should they be cutting the taxes for the hard-working Canadians

across this province? I say cut the taxes, stimulate the economy and more dollars will come in, just as we've proven in Ontario.

On the issue of taxes, why has the federal government balanced its budget? I can tell you why the federal government has balanced the budget: because of the stimulation of the economy in Ontario. If we hadn't stimulated the economy, do you think the federal budget would be balanced now? There's no way that federal budget would be balanced at this point in time. They've balanced it on the backs of people in Ontario. Ontario has been the engine, of course, that has been driving the nation for so long.

This is all about doing what we promised we'd do in the Common Sense Revolution. This copy I have is almost worn out. It's dog-eared, I've been through it so many times. We promised that we would lower our taxes, and we have, a 30% reduction in our income tax for Ontario, meaning, for somebody earning \$50,000, in the first three years they would save some \$4,052, and when they save those in taxes, those are tax-free dollars.

Mr James J. Bradley (St Catharines): And pay that in property taxes.

Mr Galt: I hear the opposition quibbling, "They shouldn't have done that," and that's typical of the opposition, worried that they're going to lose some taxes.

It goes on to say, "There's only one taxpayer," and that is so true. In the past, governments have attacked them from every direction: from property tax to gas tax to income tax to surtaxes to excise tax to liquor taxes, and on and on the list goes.

It's happening all over, even in Quebec. If you noticed the debate in the recent election there, it was getting to the point of who could cut the taxes the most. Unfortunately or fortunately, however you want to look at it, Mr Bouchard is still the Premier of Quebec, but I think what was really interesting was that the campaign, those platforms, were based on economy, stimulating jobs. How were they going to stimulate jobs? By cutting taxes.

Actually, it was Charest, a Conservative who went in, who led this charge and then Bouchard got on the bandwagon and outbid on how much the taxes would be cut in that province. I can only take my hat off to both of those leaders, who recognized what was important to stimulate the economy in Quebec.

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We're also doing the right thing with the other taxes that we've cut. We've cut the corporate tax. It will be cut by some 50% by the year 2005 or thereabouts. We've also eliminated the employer health tax for the first \$400,000 of payroll. Where did we move that? We moved that to those people earning \$50,000 or more. We're adding 2% once you get over \$150,000. It's a sliding scale from \$50,000 up to \$150,000 and then from there on I believe it levels out. The opposition regularly criticizes that we're giving a big tax cut to the rich. In fact we've actually increased the fair share health tax on that particular group.

This indeed is about doing what we said that we were going to do. The payroll tax is the big killer. Who brought in it? Who brought in the employer health tax?

Mr Joseph Spina (Brampton North): The Liberals.

Mr Galt: The Liberals, you're right on. I didn't notice that coming from the Liberal ranks, the answer to that question. They seem to thoroughly enjoy having laid on that employer health tax.

One of the problems for the small business owner was having to calculate this. They have the regular income tax and they have the WCB, now WSIB. They have Canada pension. It's just a whole lot of calculations and this employer health tax was just one more frustration for the small business person. I heard this regularly: It wasn't the amount that really was killing; it was more this difficulty, the frustration, when they had two or three employees, that they had to calculate this on a regular basis.

I just want to make a couple of comments in winding up —

Mr Len Wood (Cochrane North): On a point of order, Speaker: It is an interesting debate going on. Could you check to see if there's a quorum, please?

The Acting Speaker (Ms Marilyn Churley): Clerk, could you check and see if there's a quorum.

Clerk at the Table: A quorum is present, Speaker.

The Acting Speaker: The member for Northumberland.

Mr Galt: It is disappointing to find that we actually have members in the House who do not have enough fingers and toes to be able to count the number in the House. The member for Cochrane North, it was a nice try, but next time, before you call for a quorum check, just count up how many are in the House and then you won't be embarrassed. You have to take your socks off if you're going to check your toes.

I was about to wind up when I was so rudely interrupted. I think what this government really needs to be doing, and we've been pushing them pretty hard, is addressing what the federal government has been doing to the province, what it has been doing to the whole country of Canada. They are the ones who have cut funding to health care. They are the ones who have taken away from health care. We hear people talk about cuts in health care. The only ones in the province of Ontario who have cut health care are the federal Liberals, by over \$2 billion, and across Canada, \$6 billion annually. That is shameful. There is absolutely no question. In spite of that, we have increased our spending for health care by almost \$2 billion. It was \$17.4 billion; we're now well up over \$18.5 billion, approaching \$19 billion.

I think it's time that the federal Liberal government returned the unemployment insurance dollars. It's a shame that they would let this great big fund build up and keep that high level of payroll taxes that is so discouraging to workers. It's a real job killer and it's been proven over and over again. I think it's high time that they came clean with the workers of this province. They did reduce it — what was it, 15 cents? — and then they put up the Canada pension plan by 30 cents, and they think they're a winner, they think they're marvellous, they think they're wonderful. They really don't understand what they're doing to the workers of this province.

We have a bit of a disaster in this country with prices for hogs. They've dropped precipitously over the last three months. Our Minister of Agriculture has worked very hard and he's committed to helping these farmers. But what is the federal Minister of Agriculture doing, the Honourable Lyle Vanclief, who used to be a hog farmer not too many years ago? What's he doing? He says, "Well, maybe come spring we might do something." How many farmers are going to be bankrupt come spring? There's going to be a pile of them bankrupt then.

We desperately need some sort of national plan to recognize farmers when they're in a disastrous situation, such as the hog farmers are in now, such as some farmers in Ontario this fall with the drought conditions across the province, like the apple farmers in my riding. We had about 30 apple farmers literally wiped out because of the hailstorm. One apple they showed me had 17 hits from hailstones, hailstones that were far larger than golf balls. They claim they were the size of a hardball. When we get hailstones that size with jagged projections of ice, it does an awful lot of damage not only to the crop hanging on the trees but also to the branches and to the bark, where disease can enter in. I can tell you, there are going to be a lot of lost trees in the future. What does our federal government do? Sit on it, talk about it. They can really talk the talk. The problem is they don't know how to walk the walk.

While I'm on the federal government, we should also cover their lack of action on the Young Offenders Act. I have no idea when they're going to respond and do something about that Young Offenders Act. Literally everybody in this great country of Canada wants something done about the Young Offenders Act and they refuse to respond.

I've sidetracked, got just a little off the original bill here, off on to taxes. Coming back to Bill 74, it's An Act to amend the Fuel Tax Act and the Gasoline Tax Act. It's really a housekeeping bill. The bill amends the Fuel Tax Act and the Gasoline Tax Act to implement measures contained in the 1997 and 1998 budgets. I really appreciate the opportunity to speak and to move around just a little bit, quite freely here, and talk about some of the other tax issues that are so important to the people of Ontario. I encourage all of the members in the House to support Bill 74 when we get a chance to vote on it later this evening.

The Acting Speaker: Further debate? Member for Brampton North.

Mr Spina: I am pleased to be able to join this debate this evening. I just wanted to comment on Bill 74 and some of the details of the bill. Bill 74 is An Act to amend the Fuel Tax Act and the Gasoline Tax Act, as was mentioned. Those people who've followed the budget process closely will know that Bill 74 delivers on our government's commitments made in the 1997 and 1998 budgets.

The commitments made in those budgets are worth looking back on. In my research in preparation for speaking tonight, I went back —

Mr David Christopherson (Hamilton Centre): That is the old Hansard. I just read that.

Mr Spina: — and looked through those budgets to see the references that were made that now are coming to light in Bill 74.

Mr Christopherson: Point of order, Speaker: As I was doing my research for this speech, when the House leader shifted gears I read that speech. Is it parliamentary to read the same speech word for word in the House?

The Acting Speaker: That is not a point of order. Member for Brampton North.

Mr Spina: Thank you, Madam Speaker. I would like to think that I could get credit for some degree of creativity, but I appreciate the comment from the member from Hamilton.

Mr Christopherson: You are holding up the Hansard.

Mr Spina: Back in the 1997 Ontario budget, there was a reference on page 136 —

Mr Christopherson: Couldn't you at least edit it a bit?

Mr Spina: I have, sir. For those people following at home, there was a reference to the province taking a look "at ways to improve the timeliness of its cash flows, including tax remittances and flows to transfer payment partners." The reason for that was that in a continuing effort to reduce our deficit situation we wanted to find efficiencies that would "ease cash balance requirements." "Liquid reserve levels" could be lowered as a result of these improvements to cash flow, and of course that would lead to "lower public debt interest charges."

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I'm pleased to tell you that much of the effort made in drafting Bill 74 is aimed at improving the cash flow consequences that come from the fuel taxes that are imposed by the provincial government. As you'll note from some comments, perhaps some of the changes we're making were made after consultation with the fuel industry in Ontario, particularly before second reading. Many of the changes that we're bringing in are bringing the Ontario tax collection system in this industry in line with practice at the federal government level as well.

The 1998 budget also refers to the budget papers, and I'm referring to budget paper C on page 99. On that page it was indicated that in Ontario we would be taking steps to minimize "red tape for fuel exporters by amending the Fuel Tax Act and the Gasoline Tax Act to remove provisions requiring exporters to give advance notice of their intent to remove motive fuels in bulk from Ontario," and also to amend "the Gasoline Tax Act to implement the 1997 budget initiative to optimize cash flows by bringing tax remittance dates in line with those of the federal Excise Tax Act." Isn't that amazing? Ontario will actually work with the industry to implement these changes.

Interjection.

Mr Spina: In answer to the question: 3217.

In addition to dealing with the red tape issue, I thought I would deal with the sections of Bill 74 that deal with motive fuels. Most people know that the volume of many liquids generally expands as temperatures rise and it

contracts as temperatures fall. The difference in volume is especially noticeable in gasoline and diesel fuels.

Mr Galt: Point of order, Madam Speaker: I think the speech is quite interesting. I wonder if we could find the page in Hansard so that we could follow along.

The Acting Speaker: That is not a point of order. Member for Brampton North.

Mr Spina: Thank you, Madam Speaker. Ontario gasoline and fuel sales and taxes are based on volume. The industry measures fuel in two different ways. I pay a compliment for part of my research to the honourable member from Muskoka-Georgian Bay, because I know that he worked very hard in preparing some of the material for this particular debate and this particular speech.

One of the two ways of measuring fuel is known as ambient temperature volume. It measures the volume based on the actual weather temperature. The second way corrects for seasonal fluctuations. To accommodate this, the industry has developed a temperature-adjusted volume measurement standard of 15 degrees Celsius. I think this is interesting because, you see, I didn't learn any of this. It wasn't part of my curriculum when I was in grade 11 physics. This has become an international standard. In most cases, the same method of measuring the volume of motive fuel sold is used for both tax and sales purposes. Problems arise when the volume of the product sold differs from the volume of product on which the tax is charged.

We sometimes have to use creativity, but we want to make sure that the standards are consistent province-wide. The real issue we're getting at in this bill is consistency and making sure the industry deals with a level playing field when they collect the tax on the fuels they're selling. Bill 74 suggests that in responding to the industry's concerns, they want to have the same system when they calculate how to assess the tax on the fuel being sold. Bill 74 provides a fairer way to calculate that tax. The industry has asked for legislation to ensure that all members of the industry follow the same rules, so we have done that and now we have one rule that applies at the federal level and at the provincial level.

At the outset I talked about the concern of cash flow that was mentioned both in the 1997 and 1998 Ontario budgets.

Interjection.

Mr Spina: Madam Speaker, it's tough enough to contend with the opposition heckling, but it's really tough when it comes from your own members.

We talked about the 1997 and 1998 Ontario budgets, so I thought I'd make a few remarks about —

Mr Christopherson: "I thought I'd make a few remarks about what in Bill 74 would improve the cash-flow situation of" —

Mr Spina: — "would improve the cash flow situation of" —

Mr Christopherson: — "the Ontario government."

Mr Spina: I'm glad, Madam Speaker, for the assistance I received from one of your fellow caucus members.

"At present, the province has an imbalance in its cash flows with respect to fuel tax. We pay disbursements during the first half of the month and we receive revenues during the second half of the month. What we try to do to improve our cash flow is bring our revenue times closer" —

Mr Christopherson: — "to our disbursement times."

Mr Spina: "The bill deals with the issue of cash flow in several different parts, and it requires that the larger operators in the fuel industry submit their tax revenues at an earlier time in the process. Thus, the province will collect that money at an earlier time and not have to borrow monies, as it would have had to do with the later dates that are currently in both the Fuel Tax Act and the Gasoline Tax Act."

Mr Christopherson: — "the Fuel Tax Act and the Gasoline Tax Act."

Mr Spina: There's a really marvellous echo in here, Madam Speaker.

"With respect to the cash flows, it's expected that this will save as much as \$4 million on an annual basis and thus put the province in a position of not having to borrow those monies. That is again an issue that was raised in the 1997 budget, when the finance minister indicated that efforts would be made to improve the cash flows. Similar steps were taken in previous bills that dealt with other tax collection statutes under the provincial government, but the issue of collecting fuel taxes has been dealt with separately and we're now dealing with it in Bill 74."

"Bill 74 also has provisions to make gasoline and fuel tax system collections fairer. One of the items the bill does is that it allows people who have been overassessed on their collections of tax to appeal those decisions for a four-year period rather than a three-year period, as was the case before.

"Bill 74 improves the efficiency of the government in processing objections and appeals in the tax collection process and it speeds up the resolution process as well. The issue of the three- or four-year period for claim refunds for taxes paid in error parallels other provisions in the draft act which change the time period that the government has to reassess or audit the collection procedures of the distributors of fuel, taking that again from a three-year period to a four-year period. It really brings it in line with the assessment and refund period in other provincial tax acts so that there is a general four-year period of assessment and refunds."

So again we have consistency, "a consistency there that's been attained through the use of the tax system and through the amendments that are suggested in this bill that would be brought to the fuel tax collection system. Those are in line, as I said, with changes brought to other acts, such as the Retail Sales Tax Act and the Tobacco Tax Act, which we brought in in the fall of 1997."

The Acting Speaker: Member for Brampton North, I'm going to have to call you to order. You will check your standing orders. It's very clear: "In the opinion of the Speaker," if a member "refers at length to debates of the current session, or reads unnecessarily from verbatim

reports of the legislative debates or any other document" — you have been reading verbatim from Hansard for quite a long time now and you're very clearly out of order. I ask you to wrap up your comments from Hansard now. I'll give you another minute or two, and then you will have to cease and desist from reading from Hansard.

Mr John L. Parker (York East): On a point of order, Madam Speaker: You indicated that it would be out of order if the member reads unnecessarily from previous speeches of this Legislature, and I'm going to suggest that it is necessary that the member speak directly from the previous speech. I don't know how he could give a speech unless he referred to the notes in front of him.

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The Acting Speaker: It's my opinion that the member for Brampton North is very clearly breaking the rules of the House, and I ask him if he would please stop reading from Hansard.

Go ahead, member for Brampton North.

Mr Spina: Madam Speaker, I would only indicate that I have not entirely read this thing verbatim. I've isolated what I thought were the key points germane to the bill and to the points in the bill. Frankly, I don't know that anyone said it better than the member for Muskoka-Georgian Bay, so I was very pleased to quote him.

I'd indicate that of course I'll be supporting this bill, but I also want to talk about some of the gasoline practices of the large supplier-retailers. That continues to be a problem when it threatens consumers with unreasonably high prices. Price increases are often timed to coincide with long weekends, with vacation periods, that sort of thing. It's important, as we develop this consistency through this bill, that we address those particular problems our consumers face when we end up with cartel price-setting by some gasoline companies or fuel supply companies. That often makes it very difficult for the independent gas retailers to compete in Ontario.

To use the member for Simcoe Centre's words, he says you could drive a truck through that Competition Act. He claims that the federal government has done nothing to ensure fair gas prices in this country. But we are working towards correcting that by addressing those issues here in Bill 74.

The government of Ontario has called upon the federal government, as we've heard at various times, to try to address this issue, to level the playing field, as it were, on this particular issue and to amend the Competition Act on a federal basis so we can level the playing field, make it better for the consuming public. Not only that, it makes it better for the small, independent dealer-retailer to have better cash flow and, in addition to that, to be more competitive in terms of dealing with their customers, particularly at those times of year.

We've had some people involved here in the province, members of our own caucus, who became members of the task force to monitor gas prices in Ontario. They went around the province and found great variations in gas prices, and it depended on a number of factors. Some of those factors are astounding. They often found higher

prices as people were approaching high concentrations of cottage country. They found lower prices in less populated areas, less popular areas. It begs the question, why do we have such a variance in these prices?

In any case, when we talk about gas pricing we have to also realize that it is the only flat tax we have in this province. It doesn't matter whether the gasoline is sold in Toronto, Kenora, Sudbury, Muskoka, Windsor or Cornwall; the gas tax is exactly the same province-wide. The retail portion is what varies, and by trying to adjust at least the tax collection process, we can assist these dealers in being able to be more competitive.

When you talk about taxes, you can talk about taxes on a wide scale. We've had various comments tonight about personal income taxes, about taxes on many different things, employer taxes and so on. I guess the truth is that taxes have been heading higher in Canada, not lower, because we've suffered the highest personal income tax rate in the industrialized world. It's 18% of the GDP. If you add business, payroll and sales taxes, it climbs to 28%, and that's up from 26% in 1965. It's so bad that we now have to work until June 26 to pay the tax man, with an average family earning \$55,069 a year dishing out \$26,931 in total taxes, and that includes income, sales, property, auto, gas and tobacco and other taxes incurred by these consumers.

That's why angry taxpayers are revolting and telling Ottawa, "No more taxes." As Mr Galt indicated to us, that's what they told us when we were in the process of developing our policy prior to the 1995 election, and we responded. We responded by reducing taxes 66 times in the various bills we've introduced over the past three and a half years. In addition to that, we also reduced the personal income taxes by the 30% we promised. Taxes in this country are too high and still climbing.

Mr Len Wood: You whacked everybody in the north.

Mr Spina: The member for Cochrane North says we whacked everybody in the northwest.

Mr Len Wood: You put a tax of 38 bucks on every car.

Mr Spina: I see. The member for Brampton North will also recall — sorry, Cochrane North; I didn't mean to bring you down south here, Len. The member for Cochrane North will also recall that that \$37 licence fee totals a grand sum of \$15 million annually to the provincial coffers. But what has happened is that not only has the northern Ontario population gotten that \$15 million back, they also got another \$445 million over and above that over a three-year period, two of which have already been concluded, and those dollars have been invested into northern Ontario highways. You're getting it all back in spades, because you now are approaching the level of professional highway infrastructure that the north so well deserves and needs for the industrial economy to operate, for the logging industry, for the mining industry, for the tourism industry.

Mr Len Wood: Take a drive in the north and see the potholes. The potholes are so big they're blowing tires off cars.

Mr Spina: The potholes are gone, sir. The worst part of the highway was the Vermilion Bay Road, and, frankly, it is now off the Reader's Digest list of bad highways in North America.

Mr Len Wood: Check Highway 11. It's a disaster.

The Deputy Speaker (Mr Bert Johnson): Order. Member for Cochrane North, your turn will come again and then we'll ask for your submission, your debate. In the meantime —

Mr Len Wood: I want to get the facts from him.

The Deputy Speaker: I'm standing up, and when I'm standing up you listen. I'm warning you that you can't indulge in the debate unless you have the floor, and you do not have the floor. The Chair recognizes the member for Brampton North.

Mr Spina: Thank you, Speaker. I'm trying to give the member the facts for the northern Ontario highways. The reality is that we've spent over \$145 million each year over the last two years and there's another \$150 million coming up in the next fiscal year. I can tell you, we have many testimonials telling us about how terrific the highways have been in northern Ontario. In fact, I had one individual from Sudbury tell us that the refinished, extended Highway 69 has reduced his travel time to Toronto by over half an hour. People in northwestern Ontario have had a fantastic time. People I know, friends from Ottawa who went to visit their child, their family in Winnipeg, drove Highway 17 across northern Ontario. You know what? They couldn't believe the difference from three or four years ago.

2300

You know what the opposition did? When the NDP was in government, that \$15 million they gave to their consumers, that \$37 fee they pay — what they didn't tell the public is that they knocked it out of the highway budget. Of course the whole highway system deteriorated and began to fall apart. It's pretty easy to give somebody a gift, that 37 bucks a head, and say, "Look what nice guys we are. We didn't charge you your licence fee," and it's only half of what southern Ontario pays. On the other hand, you abandoned the highways. Who gets the short end of the stick then? The people of northern Ontario. The NDP live in a glass house. To attack us on a \$37 fee is ludicrous, because they took that money directly out of the northern Ontario highway budget.

I want to get back to the tax issue. The numbers say it all, really, because from 1989 to 1996 federal and provincial taxes rose from 21.5% of personal income to 24.5%, and that result was an 8.4% drop in real disposable income. In 1996 alone, personal incomes fell 0.4% while federal and provincial taxes jumped 2.6%, and that forced disposable incomes to drop again by 1.4%.

There are a lot of taxes on the market, and this is the reason this government has been attempting to not only reduce taxes but adjust the taxation structure and modify the system so it works for the taxpayer of this province. We have to work really hard to do that, because previous governments over the years only thought one way: "We

need more money. Where do we get it? Two choices: We either borrow it or raise taxes."

I'm disappointed that some communities chose to increase taxes over the years. School boards increased their taxes by 116% over a 10-year period, yet that money didn't go into the school system. They invested about an 80% increase. The interesting question is that with school taxes, where the heck did the other 30% or 40% go? That's the real puzzling question. That's the reason this government has chosen to try to address how we can better deliver the services, how we can get better for less, so we don't become a drag on the taxpayers of this province.

Even Minister Manley at the federal government level said it is better — and I'm not quoting directly, obviously — to have the dollars in the pocket of the taxpayer than in the pocket of the government. When I first read that quote in one of the newspaper articles I was amazed, but I was also pleased that the federal Minister of Industry actually agreed with what this government is trying to do — not in all cases, and we fully understand that. He's not a member of the Conservative Party, he's a member of the Liberal Party, and that's fully appreciated. But the reality is that we have to be able to control how we run government, a better way to run government, a more efficient way to run government, a way to make it better for the taxpayer.

We talked about some of the various needs in this gas bill. One of the things I wanted to mention is that in August 1997, Minister Tsubouchi tabled a resolution in the Legislature. What he called for at the time was that the federal government control the gasoline pricing problems by amending the Competition Act, as I referred to earlier. He wanted them to address the pricing practices within the industry. That resolution also called for the appointment of a special investigator to enforce a revised Competition Act, and that was to ensure that consumers benefit from a competitive and more transparent gasoline pricing structure right across this country, particularly the people of Ontario.

We think the federal government may be now looking at trying to address this issue, but I'd like to say one thing about the federal government gas taxes: Ontario gives a lot of gas tax dollars to the federal government from right across this province. We have this little band that crosses the province. It's called Highway 17 and Highway 11 and it's called the Trans-Canada Highway. You know what? Almost all of it goes through northern Ontario. It is the Trans-Canada Highway.

We could always ask our federal Liberal members, the 101 Dalmatians who represent this province in Ottawa, how much they have returned to the Trans-Canada Highway system in the province of Ontario using their federal gasoline tax dollars. How much? Do you know what the answer is? Not one red cent, and I choose the colour deliberately. Not one red cent comes back to this province from the federal gasoline taxes we pay. Any tax dollars applied towards the Ontario highway infrastructure system come from our own consumers all over the province. None of those federal gasoline tax dollars come back to this

province. The federal government has not invested one dime, not one red penny, in the Trans-Canada Highway that graces this province, and they have not in recent years.

I challenge anyone to correct me and to show me any facts. Give me the numbers and tell me where they have put in the dollars, because we have not seen it. I would be pleased to be corrected if that was the case, but I have not seen it yet and I've researched it as best I can. I have given speeches across northern Ontario and southern Ontario, and I've got to tell you, I have not seen this anywhere.

It's upsetting to a lot of our visitors in this country when they see the price of gas being moved around, up and down and around. I hope the federal Competition Act addresses this. We already pay enough tax on our gasoline. The province collects, as we know, 14.7 cents on the litre. The federal government collects 10 cents gas tax plus the GST, which works out to a little over three cents, or approximately three and a half cents. Then there's another three-cent markup, basically for handling, by the local service station. Then there's the cost of the actual gasoline being delivered. We end up with a price of about 50 cents or slightly more on a per-litre basis.

That's the price we usually end up with in southern Ontario and it's more or less consistent across the 401 strip. But when we go to other, more rural areas, when we go to northern Ontario, I can tell you it is considerably higher. We can speculate, is it because it costs more to deliver the fuel to northern Ontario?

Mr Len Wood: No.

Mr Spina: That's what the companies say. The member for Cochrane North disagrees. He says that isn't the case. You know what? I kind of suspect he's right. This is one occasion where I think I'll agree with the member for Cochrane North, that it isn't just the cost of transporting that fuel to northern Ontario.

2310

I don't know what it is. One could speculate that it is the economies of scale, that the consumers of northern Ontario don't use as much gasoline as the consumers of southern Ontario on a mass basis. I might understand that argument, because we have 850,000 residents who live in northern Ontario across the north, and maybe 850,000 residents don't consume as much as 850,000 in the south. But if you look at the way we have winter driving in northern Ontario — and having grown up and lived in Sault Ste Marie until I was the age of 24, and having travelled clear across northern Ontario, right from the Kenora border to the Quebec border, I can tell you that gas consumption is higher with winter weather. Not only that, we have the usage of the Trans-Canada Highway, so I'm not sure that even that economic argument holds up. If the federal government could examine the Competition Act, maybe we would be able to then have it dovetail with this particular act, Bill 74, which tries to adjust the process of fuel and gasoline collection in this province.

The Deputy Speaker: Comments and questions?

Mr Frank Miclash (Kenora): To listen to the member for Brampton North, who often comes to northern Ontario to sell himself as a northerner, being that he did spend I believe he said 24 years in Sault Ste Marie, suggest that he understands the issues of the folks of the north is truly amazing. I think people in northern Ontario, particularly in northwestern Ontario, see through the fact that a member from Brampton North has a difficult time understanding that we in northern Ontario are faced with much higher gasoline taxes for a great number of reasons. The question that comes to me quite often is why we can pay the same amount for liquor, alcohol and beer across the entire province, yet a government cannot get control of gasoline in terms of equalizing the gas prices in the entire province.

I often think about the promise of the NDP in the 1990 election campaign when the then member, who eventually became the Minister of Northern Development, said in her campaign literature that, should they form the government, the NDP would equalize gas prices in all of Ontario, including northern Ontario, southern Ontario — across the province. I had a great number of my constituents saying, "Here's a party that has indicated that to us," not knowing, at that point when she made that commitment, that they would form the government and she would become the Minister of Northern Development, and of course we saw nothing in terms of equalizing gas prices across northern Ontario.

The member goes on to talk about the highways in northern Ontario as if they were all in great shape. I would ask him to take the drive from Vermilion Bay to Red Lake, from Kenora to Fort Frances, and then come back and tell me that the highways are in such great shape.

Mr Len Wood: I listened very attentively to the member from the government side on Bill 74. He was talking about all the money that was spent in northern Ontario on roads. I can tell you that last week and the week before, the potholes were so bad on Highway 11 around the Cochrane area that I have broken two windshields, and some of the cars are hitting potholes so big that the tires are going flat as a result of it. Sure, they send out a crew to put some asphalt in there, but when you've got the rain and the frost and the snow, the potholes get worse all the time, and they're not doing anything about it.

On top of that, they've downloaded most of Highway 11 that goes through all the towns and they're saying, "These are connecting links and the property owners in these towns should pay for the upkeep of this highway," which I consider to be the Trans-Canada Highway. You've got signs in Cochrane saying "Extension of Yonge Street" going all the way through to the Manitoba border, and yet the highway is not being maintained.

When we were in government, we eliminated the licence plate fees for passenger cars in northern Ontario. We said, "This is going to help compensate a little bit for the longer winters, the high price of gasoline, the 20-cent difference there is per litre on gasoline prices," so we eliminated the fee on passenger vehicles. The Conservative government put it back on and yet never put any

money back into northern Ontario roads. Not a penny went back in. It was just a simple tax grab. They took a \$37 tax on each and every vehicle in northern Ontario and they're using that for advertising, they're using it for a \$600,000 fund they've got set up for Al McLean, for hush money to cover up a sex scandal within the Conservative government, and things of this kind, as well as \$40 million or \$50 million they're spending on advertising. My phones are ringing off the hook saying, "When are we going to get somebody to stand up for our area?"

Mr Parker: As always, I thoroughly enjoyed listening to the remarks of the celebrated member for Northumberland and the member for Brampton North on the subject of Bill 74. I enjoyed the dissertation this evening. It was a very good refresher course on the remarks we heard earlier this fall on the same subject at an earlier reading of the bill. The first time through, I paid close attention to the science of the effect of temperature on the volumetric measurement of liquids, but it's always good to have the refresher course because you forget the odd detail. It was good to be reminded of some of the finer points of that particular science and to be reminded again of how the bill addresses the practical concerns that arise as a result of that phenomenon.

I appreciated in particular the remarks of my good friend the celebrated and much-appreciated, much-loved member for Brampton North who, by the way, is well known not only in this chamber and not only in his home riding of Brampton North, but throughout the north of this province. I should make it clear to you and to the others in this chamber that the member for Brampton North does an outstanding job representing the concerns of the north of this province as he travels from place to place and meets with people like Craig Nuttall, whose name has come up already this evening, and brings their message to Toronto, to Queen's Park so that people —

The Deputy Speaker: The member's time has expired. Comments and questions?

Mr Jean-Marc Lalonde (Prescott and Russell): It's amazing to find out how little the members for Northumberland and Brampton North know about the condition of the highways in the eastern part of Ontario. He was referring to Highway 401, that it used to be full of potholes, but today you haven't driven on Highway 417 leading to the Quebec border. It's in such bad shape, I don't know if this ministry is trying to transfer the 417 to the municipality like they did with Highway 17 in eastern Ontario. They transferred it to the municipality in very poor condition.

I thought this bill would have recognized that now that we have transferred a series of highways to the municipality, a certain portion of the fuel tax would go to the municipality, but that's not what it is at all. I think that at the present time this government is trying to get rid of their assets by transferring the highways to the municipalities — again, how important it is that this government starts to look at the possibility of transferring a portion of that tax to the municipality.

In my own riding, Ettyville bridge at the present time has been closed. The farmers have to go around 23 kilo-

metres to get to their fields. There are three farmers there. Mr Harrigan and Mr St Pierre cannot get to their fields, which are at a distance of only a couple of hundred feet. But the ministry has cut down all the subsidies to the municipality and now they just can't afford to fix the bridge. They closed the bridge.

It's the same thing on Highway 17. By the year 2005, it's going to cost the people of Prescott and Russell around \$10 million.

The Deputy Speaker: The Chair recognizes the member for Brampton North.

Mr Spina: With respect to this bill there are a number of things that we could say, but I just want to respond particularly to the members for Kenora and Cochrane North. I'm really puzzled. I made a mistake and I will apologize, because I didn't spend the first 24 years of my life in northern Ontario. I was trying to make myself younger than I am. I spent the first 28 years of my life in northern Ontario and I've spent 24 years in southern Ontario. I must be a bastard child according to the member for Kenora, because I must know less about southern Ontario than I know about northern Ontario. How long do you have to live someplace to have an appreciation of what's going on? You don't live there your entire life. The member for Cochrane North was born in Stratford. Does that mean he doesn't know northern Ontario? Of course not. He has lived there many years.

I drove from Thunder Bay to Fort Frances to Kenora to Dryden and back to Thunder Bay three weeks ago. I've been on that highway. I was snowed in in Dryden on November 10. I can tell you, my friend, I've been on those highways. To say that we didn't put any money back into northern highways is an outright lie.

2320

Mr Len Wood: On a point of order, Mr Speaker: I don't know if you picked that up, but the previous member was just saying that there are lies being given in this House. I would ask that be withdrawn.

The Deputy Speaker: In actual fact, there was a lot of other background noise and I did not pick it up. If the member for Brampton North has anything that he'd like to withdraw, I'd invite him to do so at this moment.

Mr Frank Klees (York-Mackenzie): On the same point of order, Mr Speaker.

The Deputy Speaker: No. I don't debate points of order. I'd like to clear them up. If there is a different one, I'll look after that one later.

Mr Klees: OK, I'll make a different one.

The Deputy Speaker: I'm asking the member for Brampton North to withdraw.

Mr Spina: If it was unparliamentary, I'll withdraw it, Speaker.

Mr Klees: On a different point of order, Mr Speaker.

The Deputy Speaker: There are two of us standing up. Only one is supposed to be and it's me. I did learn something tonight and I have a greater appreciation now for the member for Cochrane North.

Mr Klees: I was listening very carefully to the debate. I'm quite positive that the word "lie" as it was used is

spelled l-y-e, which is not the same kind of lie that the member for Cochrane North referred to.

The Deputy Speaker: A point of order means that there is something wrong. There is nothing wrong, so that is not a point of order.

Further debate? The member for St Catharines.

Mr Bradley: I welcome the opportunity this evening to talk about a bill that deals with gas prices and gas taxes in this province, because I can assure you that what I will be saying is within the jurisdiction of the provincial Parliament. I won't be talking about the United Nations, the municipality of Burlington, the municipality of Sault Ste Marie, the federal government, the Alberta government. I'll be talking about what the Ontario government can do in terms of gas pricing. All that the members of the government want to do is point fingers. Somebody should get them all a pair of white gloves to direct traffic for somebody else. They're first in line to accept the credit and last in line to accept the responsibility on every occasion.

If the gas prices in this province go down, then of course what you find is that the so-called gas-busters are taking credit. Everybody is a commissioner now. Their backbenchers, who have nothing to do, are sent out with throwaway cameras and they take some pictures, and if the gas prices are down they say, "Well, it's because of the provincial gas-busters"; if the gas prices go up, it must be the federal government's fault. You see, they're extremely inconsistent.

I know where the responsibility lies because I was looking at some of the states, because you people love to adulate and imitate the United States. In the United States, there are 26 states that have fair price laws that prohibit major oil companies from charging customers less than the cost of their gas, which would make it impossible for the smaller independent firms to compete. Seven states limit the right of refiners to own their own stations, a rule that independents say encourages competition. In the United States, which is supposed to have the freest market anywhere in the world, we have 26 states with fair price laws prohibiting major oil companies from charging customers less than the cost of their gas, and we have six states, of course, that prohibit the refiners from owning their own gas stations. That's the United States.

Mike Harris makes a big noise when the prices go up. I heard him. He was rough and tough and gruff; he was going to tell the oil companies what to do when those prices went up. When it came to calling them on the carpet, calling his good friends the oil barons into his office to say, "Come on you people, you shouldn't be gouging the" —

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): No, that was Mulroney. Talk about Mulroney.

Mr Bradley: It's not Mulroney's fault in this case; it's Mike Harris's fault. Mulroney is in the past. But I would have thought, with all the friends the Premier has in the oil industry, all the oil barons, that he would have been calling them on the carpet and saying, "Look, you can't con-

tinue to gouge the people of Ontario with gas price hikes the way you have." Instead, he was large as life when he was elbowing people around who were not very powerful, he was a lion in dealing with lower-income people on social assistance, but when it came to dealing with the oil barons, the captains of the oil industry —

The Deputy Speaker: Excuse me, that was l-i-o-n?

Mr Bradley: Exactly, the l-i-o-n-s of this province. Did he do anything about it? No, he was a real pussycat when it came to those people, because he is good at elbowing aside the small people who aren't very powerful, bullying those people around, but when it comes to the oil giants, when it comes to the captains of industry, he is their buddy; he shakes their hands. I would have thought he'd have had a chance to talk to them at the big fundraisers the Conservatives hold where the corporate elite shows up to pour millions of dollars into the coffers of the Conservative Party.

As we know, under new legislation just passed by this government, forced through with a time allocation motion closing off debate, we are now allowed in this province, political parties and candidates, to spend more money than ever before. There's also a situation where you can give more money now to a political party or candidate. The sky is the limit on such things as polling, such things as research. We now see that that's going to be happening in this province.

The party that caters to the richest people, the most privileged people, the most powerful people in the province, that party, the Conservative Party, the Reform-atories who sit opposite us, will reap the benefits of those people who have the money because the people who are making a modest income and are the victims of this government don't have the money. They have the votes but they don't have the money, and that's how this government wishes to manipulate the next provincial election.

When it came to dealing with gas prices, the only thing they could do is point somewhere else. My colleagues and I have asked many questions of ministers, and there was one minister who gave honest answers to this House. He's no longer a minister. I don't know if that's the reason, because he was a good fellow. I happen to have a lot of admiration for the member for Eglinton who, when he was Minister of Tourism and was asked questions about gas prices, gave honest answers. The others were impersonating — some of you people, maybe the Minister of Agriculture with his many years of experience in life would remember somebody called Phineas T. Bluster. He was on the program called Howdy Doody. I see that Buffalo Bob died, by the way, a short time ago, which is very sad. Buffalo Bob used to be the host on the Howdy Doody Show. The one person they had who I always thought was rather interesting was somebody called —

Mr John Hastings (Etobicoke-Rexdale): Your hero.

Mrs Helen Johns (Huron): Was he a Liberal supporter?

Hon Cameron Jackson (Minister of Long-Term Care, minister responsible for seniors): Clarabell was your role model.

The Deputy Speaker: Order.

2330

Mr Bradley: I didn't know the member for Burlington South would remember those days. Of course, there are people in the cabinet, some of his cabinet colleagues, who may well be impersonating Clarabell, as he mentioned. But I'm talking about Phineas T. Bluster. The Premier and a couple of the ministers over there did a great impersonation of Phineas T. Bluster: a lot of noise, a lot of pronouncements and a lot of nothing coming of it when they were asked to do something directly. They pointed somewhere else at all times. They huffed and they puffed and did nothing after that.

I want to tell members —

Interjection.

Mr Bradley: I hear an interjection from the member for Northumberland who portrays himself as one of the captains of private industry, of the private sector. I thought he had spent most of his adult life as a public servant, on the public payroll, but to hear his speeches in this House, I was convinced when he was first elected that he was from the private sector as he extolled the virtues of the private sector. But all of his life, almost, he was in the public sector accepting those cheques from the taxpayers of Ontario. He interjects now.

I want to say that since the takeover of the Harris government, the number of independent retailers in Ontario has decreased, competitiveness of the marketplace has diminished and the large oil companies have taken advantage by gouging motorists at the pumps.

The Harris government has been told, as we all know, by those of us in the opposition for the last two years that they should take action by doing one of two things: by calling the big oil companies on the carpet or by passing predatory pricing legislation.

The quotes from the Harris government are rather interesting, when they're asked what they're going to do. They usually get up, large as life, passing some resolution saying that the federal government should do something. But of course most people in this province know that gas pricing is within the jurisdiction of the provincial government. The Minister of Economic Development and Trade, who was of course our good friend the member for Eglinton, Bill Saunderson —

Hon Mr Jackson: And tourism.

Mr Bradley: And he was tourism as well — said in May 1996 in response to one of our questions, and this was an honest response from the government side because he was saying what the government really thought, not all the bluster but what the government's real opinion was: "Ontario motorists enjoy the most competitive prices, I think, in the world. I think overall Ontario is very well served." This was while the prices were going sky high. That's what he had to say, an honest answer to this House. While other ministers fulminated and made noise and

pointed fingers elsewhere, he said this is the policy of this government.

The minister, again in response to one of our questions on gas-price gouging, said on February 20 of that particular year the following:

"If you travel across Canada, I think our prices that I see at the pumps these days are quite fair. When one travels outside Canada, our prices here are also comparable — and I say that again, comparable — to what I see going on in the world. There are certain areas that are closer to gas and oil production facilities and therefore pay a lesser price, but I think under our circumstances our prices are quite fair."

This was at the same time that the Premier, when confronted and pinned against the wall, was saying the prices were unfair. Of course, the Premier was simply then putting on a show and the minister was being honest, putting the real position of the Conservative government.

Also on this very same day, the minister was asked if he would take the time to at least consider calling the big oil bosses on the carpet and to protect consumers who recognized that they were being gouged by greedy monopolists. The minister, however, responded in the following way. Let me quote him. This is again what Bill Saunderson had to say, an honest answer from the point of view of the government. He was giving the honest answer. Others were making noises and pointing elsewhere, and I want to give him credit for that.

The Deputy Speaker: The Chair recognizes the member for York-Mackenzie on a point of order.

Mr Klees: Mr Speaker, I've been listening very carefully to the member and I believe there's a very subtle train of argument here that the member is using. If you analyze carefully his reference on the one hand to the honest answers of a member, he is implying very carefully that others are in fact not being honest.

The Deputy Speaker: That is not a point of order. I wouldn't want to impute any motive or anything on the part of the member for St Catharines. The Chair recognizes the member for St Catharines.

Hon Mr Villeneuve: He is very naive.

Mr Bradley: I thank the member for Perth. I hear him being called naive. He's not naive, he's a very good Speaker.

The Deputy Speaker: The Chair recognizes the member for Windsor-Riverside.

Mr Wayne Lessard (Windsor-Riverside): On a point of order, Mr Speaker: If the government wants to challenge the submissions from the member for St Catharines, they should at least have a quorum. I don't believe they have a quorum and I'd like you to check.

The Deputy Speaker: Would you please see if there's a quorum present?

Clerk at the Table: A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Deputy Speaker: The Chair recognizes the member for St Catharines.

Mr Bradley: Thank you, Mr Speaker, I'm sorry the member for York-Mackenzie would want to challenge your observations of what's going on in this House tonight because I've always found you to be a most fair Speaker in this House and one who understands the latitude of the House. I'll tell you something, he recognizes I would never impute motives to anybody. I'm simply talking about some honest answers I'm hearing from ministers.

I want to go back to this fact. We have the greedy monopolists. These are the oil barons, the friends of the government.

Mr Klees: Step outside and say that, Jim.

Mr Bradley: You would know that. You know who they are.

Here's what was asked. The question was asked again of Bill Saunderson, my good friend from Eglinton, then the Minister of Economic Development, Trade and Tourism. While the Minister of Consumer and Commercial Relations was saying how shocked he was at the gas prices and how unacceptable, publicly, the Minister of Energy was saying something — no, he was blaming the gas taxes, even though his own government put the gas taxes on as well, and the chief government whip was whispering in his ear, "Blame the federal government." Here's what Mr Saunderson had to say. This is probably the most revealing comment of a minister, saying what the government really thinks of gas prices, what their real position is. He said:

"We don't intend to dictate to companies what they should and should not do.... I have no intention of interfering with the free enterprise system, the pricing system. If we were to do that we would be a laughingstock, sir. It would be a big mistake for this province. We would not attract businesses to this province."

That's what the Minister of Economic Development, Trade and Tourism said when asked: "What are you going to do about the gas prices? Are you going to call the oil barons on the carpet? Are you going to pass a predatory pricing law in the province? Are you going to freeze gasoline prices the way Bill Davis did?" This was his answer. I consider this an honest, straightforward answer and the real position of the government. So when they start pointing fingers elsewhere, we know where this government really stood on the issue of gas prices: foursquare, shoulder to shoulder with the oil barons who were gouging the consumers in those days.

2340

I remember that the Minister of Energy of the day was Mr Sterling. In the United States the issue had come up that the gas prices were going up. This was in the United States, so what did the Republicans say? Did they blame their friends in the oil industry? Did they say it was the oil barons? Did they say the gasoline vending companies were gouging the people? No, no. They said it was taxes: "If only the taxes weren't there, we wouldn't have a problem with the gas prices." Well, the only thing that had risen in Ontario and in the United States at the time was not the gas taxes but the prices charged by the oil barons.

But here was the minister of the day again defending the giants of industry against the consumers of this province.

What do we have today? We have a Premier who is being very macho about it, pretending he was going to do something to stop the gas prices from rising. I'm going to tell you there was a Premier in this province who did that, William Grenville Davis, member from Brampton, in September 1975. I want to find the exact name of the gas tax. In September 1975, Premier Davis passed a law which froze the price of gasoline in this province for 60 days. He did that. He froze the price of gasoline in this province. He was not afraid of the oil barons. He was prepared to be interventionist when it was needed by the people of this province, unlike the present administration, which, at the first sign of a bark from the oil industry, runs in the opposite direction. Bill Davis didn't run in the opposite direction; he took the oil giants on and froze prices for 60 days.

Hon Mr Jackson: He was so macho he bought one of them.

Mr Bradley: The member for Burlington South is quite right in his intervention. He said he was so interested in this subject that the Conservative government bought 25% of Suncor at that time and there it was. He understood what the problem was and he froze those gas prices.

I know there are people on the government benches who will say, "That was just an election ploy because there was going to be an election." I didn't believe then and I don't believe today that it was an election ploy. I think Premier Davis genuinely wanted to take on the oil giants, unlike Premier Harris, who runs at the first chance of having a confrontation with the oil barons of this province, the oil giants.

What can we do within provincial jurisdiction? Bill Davis said one thing we could do: We could freeze the price of gasoline when it gets up there. You can pass a law doing that. But there's a more long-term procedure that can be followed, and that is the procedure of passing a predatory pricing law in this province, totally within the jurisdiction of Ontario. We can do it. I know the member for Quinte would like to bring in such a bill, but we all know where that's being blocked; that's being blocked in the Premier's office. The best he's allowed to do is bring in a resolution that will point the finger somewhere else, at the federal government in this case. Yet he knows and I know and the Minister of Consumer and Commercial Relations knows and my good friend Noble Villeneuve knows as well that the provincial government has the power to bring in a predatory pricing law.

What does that do? That prevents the major oil companies from selling to their own dealers at a lower price than the independents, because what happens when they do that is that they end up putting the independent retailers out of business, and we know that when the small independent retailers are put out of business it allows the huge oil corporations a free rein to charge whatever they see fit for gasoline for motorists in this province.

I'm looking for the law. The government has been in power for four years. Many times I've called for it. I

thought even a private member might bring it forward, because the only way it's going to pass is if the government initiates it and has approval. I'm looking for it and I can't find it. The Minister of Consumer and Commercial Relations won't bring forward such a bill. So I implore my friends in the backbenches of the Conservative Party and some in cabinet to speak to the Minister of Consumer and Commercial Relations to approach the Premier, who has been a pussycat with the oil barons so far, and say, "Look, what we should have is a predatory pricing law." That would save gas money and film for the member for Scarborough Centre, who wouldn't then have to run around with his camera pretending he was having some effect on the gasoline prices in this province.

I have a very good editorial from the Hamilton Spectator. This must have been before the Toronto Sun took it over, because it was critical of the government. This won't happen any more; don't worry, you're safe now. On Tuesday, May 19, 1998, there was a great editorial on the so-called gas-busters. It says:

"Welcome to summer. The calendar says it's not official yet. But other unofficial indicators tell us it's here. The weather. Air quality. Long hot weekends. Gas prices.

"No one knows for sure why, but gas prices seem to go up around this time of year, specifically before weekends and especially before a long weekend. Some suspicious people wonder if the major oil companies have a wink-and-a-nod agreement about this. But the oil companies and the federal government assure us that's not the case. It's just a free market at work. Well, if government and oil companies say so, it must be true, right?

"Still, some people remain skeptical. Among them, apparently, are Ontario's consumer minister, Dave Tsubouchi, and his boss, Mike Harris. Last summer Harris made a big noise about his belief that Ontario consumers are being 'price-gouged' at the gas pumps. Of course, that's about all he did, other than defer responsibility to Ottawa.

"Then there's Dave Tsubouchi. You may remember him as the colourful social services minister who, early in his Harris government career, suggested few people were so poor they couldn't afford a can of tuna. Now he's the man charged with consumer protection in Ontario.

"Not long ago, Tsubouchi met with oil company representatives and during the meeting assured them that 'it's the government's philosophical approach not to interfere with markets.'"

I digress from the editorial. When he had a chance to meet with them did he say, "Stop gouging the people of Ontario"? No, he said, "It's the government's philosophical approach not to interfere with markets." So there was the answer, there was the tough answer for the oil barons in this province. But I want to go on with the editorial from the independent newspaper called the Hamilton Spectator.

"But Dave has never been one to let consistency be his guide. Apparently he's had some kind of epiphany and now is going to press the feds 'to take action and to

impress upon the oil companies that this kind of thing just isn't acceptable.'

"If you find Tsubouchi's two positions contradictory, you're not alone. But that's not even the strangest twist in this story. Late last week, the minister appointed four Tory MPPs to a Consumer Watchdog Commission. Hamilton West's Lillian Ross is among them, along with Halton North's Ted Chudleigh, Doug Rollins of Quinte and Dan Newman, Scarborough Centre.

"Just call them 'gas-busters.' Among other noble pursuits, these four will keep a sharp eye on gas prices. And if they see unreasonable jumps in retail prices, they'll...what? Presumably the petrol police will report back to their boss. Presumably Tsubouchi will then use this irrefutable evidence to...what? The provincial government refuses to do anything to fix gas prices, saying it's Ottawa's job. Ottawa and the oil companies say there's no price fixing, but Ontario is free to move alone to fix prices if it wants to.

"Can you say 'Useless public relations exercise'?

"At a news conference to unveil this silly idea, the MPPs involved posed for the cameras, grim-faced, planted in front of gas station price signs. Presumably, this is to show they mean business. Or perhaps they're just contemplating how good this will look on their resumé."

I agree with the Hamilton Spectator. What an excellent editorial that was. I think that captured better than anyone the fact that this government intends to do nothing.

Mr Douglas B. Ford (Etobicoke-Humber): What have you done, Jim? What has Jim done?

Mr Bradley: The member for Etobicoke-Humber asks me what we would like to see done and what I want to see done. I have implored this government, I have encouraged this government, I have urged this government, because it's within the purview of government, to take action, to have the minister bring forward a bill which would deal with this problem of predatory gas pricing in this province. If they wanted to get really tough, they could do what Bill Davis did in 1975.

2350

The small province of Prince Edward Island has decided to regulate the price of gasoline in their province. Over 20 jurisdictions in the United States have brought in pricing legislation. All these examples reveal that Mike Harris could take action if he had the political will to do so. He could pass a law right here today, within the jurisdiction of Ontario. All we get, though, is pure tokenism from a posturing Premier who doesn't seem to really care about the price of gasoline in this province, from the actions he has taken.

As I say, I'm still looking for that great initiative that Bill Davis took in 1975. I've found what it's called now. Here it is, because I know the member for Etobicoke-Humber is waiting for the name of the bill. It was an Ontario law, an act entitled the Petroleum Products Price Freeze Act. That's what it was. Premier Davis froze prices for an extended period of time.

So if you really want to do something about those gas prices, we know it's within the jurisdiction of the

provincial government. Three things can be done. The easiest, the most obvious, is to ensure that there's a free market, because there isn't. If the major oil companies are pushing the independents out of business, then you, the apostles of the free market system, should be coming forward with a bill which would ensure there's competition. I agree with that. I would like to see maximum competition, but you don't get it as long as the major oil companies are putting the boots to the independents in this province by being in a position where they can sell gasoline at the wholesale level to their own stations at a price lower than to the independents, therefore making the independents uncompetitive and forcing them out of business. If we want to ensure that we have competition, then surely this government would be prepared to bring forward such legislation. So that's one easy thing.

The second thing is passing a bill when the gas price goes up — not now; it's down now — a bill that would be entitled the Petroleum Products Price Freeze Act, as Bill Davis did in 1975 with a Conservative government.

The third thing is the Premier calling the oil barons on the carpet and telling them they should not be pushing the people of this province around, because the gas-busters are simply having no effect at all. The so-called commissions have no effect at all.

Mr Galt: They are in Quinte, It's down to 36.9 cents. When have you seen gas prices cheaper?

Mr Bradley: The member for Northumberland makes my point exactly. I'm glad he intervened this evening, because he and his colleagues, particularly the member for Northumberland, are first in line to accept credit, last in line to accept responsibility. If the gas prices go way up, he will be hiding in the corner pointing his finger at the federal government; if the gas prices go down, he'll be there, large as life, taking credit for it. He is totally inconsistent, totally without any credibility, when it comes to this particular issue, because he will not ensure that his colleagues in the cabinet bring forward a bill which will ensure fair gas prices in this province. So the bluff of the

Harris government has been called on this issue. What they intend to do is absolutely nothing. They will do nothing at all to ensure that gas prices are going to be fair in this province.

Mr Galt: Tell us about Patti Starr.

Mr Ford: Jim, were you working with Patti Starr?

Mr Bradley: If you want to talk about the former president of the Conservative Party of Ontario, R. Alan Eagleson, I'd be happy to have you get up and speak of R. Alan Eagleson, with your interjections. But I don't think we should, because we're dealing with the gasoline tax and how the gasoline tax is spent in this province.

Much of that could be used to fund hospitals. If we had the gas taxes collected appropriately, we would perhaps have the money to fund the ongoing operation of the Hotel Dieu Hospital in the city of St Catharines, a hospital that Mike Harris wishes to close, despite his promise which says, "Certainly, Robert, I can guarantee you it is not my plan to close hospitals." Yet the Hotel Dieu Hospital is unfortunately going to come under the axe by the commission in Ontario established under the draconian Bill 26, which was pushed through this Legislature despite the fact that it changed or created differences in some 48 pieces of legislation. They wanted to push this bill through and then set up new rules so they could do so after.

Even though the clock in the assembly says about seven minutes to midnight, Mr Speaker, I know your watch is very close to midnight, so I will conclude my remarks. Do I just adjourn the debate so I can keep talking after?

The Deputy Speaker: The time will be reserved for you.

Mr Bradley: Thank you kindly, Mr Speaker.

The Deputy Speaker: I just wanted to advise you that the clock that a lot of you will be looking at is at least five minutes slow. I assure you that it's very close to 12 o'clock midnight. This House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 2358.

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Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 9 December 1998

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 9 décembre 1998

The House met at 1331.

Prayers.

MEMBERS' STATEMENTS

SCHOOL CLOSURES

Mr James J. Bradley (St Catharines): The consequences of the bulldozer approach of the Conservative government of Mike Harris become more apparent every day in villages, towns and cities across Ontario. When opposition members and opponents of Bill 160 and the new funding formula predicted that one of the consequences would be the closing of neighbourhood schools, members of the Harris government dismissed these contentions as fear-mongering and exaggeration.

In the autumn of this year, when hundreds of schools appeared to be in danger of having their doors closed permanently, the Harris government did some rapid backfilling by announcing revised funding to put the fires out before the provincial election expected next spring. Boards across Ontario are well aware, however, that this funding was designed to make the issue of school closings go away for a year and could in the future be terminated and cause a crunch which would mean the closing of more schools.

Historic Merritton High School is in danger of being closed at the end of this school year as the District School Board of Niagara, like school boards across the province, struggles to deal with the underfunding from the provincial government. Merritton is typical of so many secondary schools in Ontario. They are an educational home for a neighbourhood and have long traditions in their community. Even St Catharines city council, which also opposed the Hotel Dieu Hospital closing, rallied to support Merritton, recognizing that it's a site of English-as-a-second-language classes and that historic Merritton needs and deserves a secondary school of this quality. It is also a community centre.

TEACHERS' PENSION LEGISLATION

Mr Bud Wildman (Algoma): I urge the Conservative government to sever part IX of Bill 81, the omnibus finance bill that is currently before the House, so that the desirability of the changes proposed and their possible ramifications can be analyzed properly.

Part IX of the bill amends the Teachers' Pension Act. The government and the Ontario Teachers' Federation are supposed to be partners in respect to this act and they have a partnership agreement, but the government drew up these amendments unilaterally and showed them to OTF officials only briefly before the bill was introduced by the government. The federation objected to the process immediately and asked the government not to proceed.

The federation has concerns about whether the wording of the bill won't have other, unintended consequences; for example, around the proper valuation of the plan's assets and liabilities. Their experts are trying to come up with suggestions that would be better than what is proposed, but so far they have not been able to come up with an amendment that may not have other problems.

That's why OTF is urging the government to sever this part of the bill so that the two sides can work together jointly to come up with the right language to ensure that the interests of the teachers and the provincial government are protected. They point out that there's no urgency in passing these amendments. The amendments deal with a situation that will only be of concern after the plan has —

The Speaker (Hon Chris Stockwell): Statements.

UNIFIED FAMILY COURT

Mr Frank Klees (York-Mackenzie): This past Friday morning I had the pleasure of participating with the Attorney General in the announcement of the new Unified Family Court for York region. Also taking part were Chief Justice Patrick Lesage and York region Senior Justice David Logan. Both judges expressed appreciation to the Attorney General for his initiative in expanding the services of the Unified Family Court to York region residents.

Unified Family Court provides a single-window approach to family law matters by dealing with all aspects of family law in one court, which is more convenient, less confusing and less expensive for families.

The judges who run the Unified Family Court have special expertise in family law. This court is a better way of finding solutions to family disputes and helps lessen the emotional toll on children. It provides access to mediation services, as well as information sessions, which will help parents make informed decisions about resolving disputes in the best interests of their children. But more importantly, we are delivering these services to residents in the community in which they live, and it's not just York region.

On behalf of the residents of York region who will avail themselves of the family court's services, I thank the Attorney General for listening and responding to the needs of our communities.

Expansions of the unified family courts were also announced last Friday in 11 other locations, including Ottawa, Peterborough and St Catharines, and which should be available by the spring of 1999.

SERVICES FOR ABUSED WOMEN

Mrs Lyn McLeod (Fort William): Today in recognition of the 50th anniversary of the Universal Declaration of Human Rights, the representatives of a coalition of women's groups came to Queen's Park to raise their concerns with regard to the impact of the Harris government policies on women's human rights in Ontario.

They pointed out in detail the ways in which the Mike Harris government has attacked a series of services and programs which are essential to the autonomy and independence of women. It has reduced funding to shelters and second-stage housing, affecting prevention programs and support services for abused women. It has completely removed funding for certain groups dedicated to the defence of abused women's rights, such as OAITH, the Ontario Association of Interval and Transition Houses. It has reduced the social assistance payment by 21.6%, abolished the employment equity law, reduced access to legal aid in matters of family and immigration cases, rescinded rent control, made cuts to health services and social services, and attacked the right to unionize.

The coalition states uncategorically that the cumulative effect of these policies renders women more vulnerable to male violence. The coalition is concerned now that the survival of autonomous services developed by women for women, such as sexual assault centres and shelters, are themselves being threatened.

We share their concerns about the impact of the Mike Harris government cuts on women and about the future direction of this government. We particularly share these concerns at a moment in time when this government is unwilling to deal openly and fully with allegations of sexual harassment that have come right into the Legislative Assembly itself. The Harris government must start taking seriously the rights and safety of women.

POVERTY

Mr Tony Martin (Sault Ste Marie): Mr Speaker, I rise today to share with the House, yourself and others out there across Ontario my growing concern re the juxtaposition we're seeing with the various reports that are coming at us around the question of employment and poverty. On one hand, one week we hear that employment's up and unemployment's down, and during that we hear reports from various organizations that are doing statistical gathering as well.

The Centre for Social Justice put out a report saying that the gap between the rich and the poor is growing and

that the poor are now poorer than ever before. The Catholic bishops of Canada have come out with a statement saying that the poverty rate is getting worse. We had a group going from Canada to the United Nations to plead a case of growing poverty, and the United Nations came back to us and told us that we have to clean up our act.

Yet we have governments saying that everything's fine, that unemployment is down and employment is going up. I'm sure people out there are becoming somewhat confused. I'm here to say to them today that they should trust their own instincts. They know, like I know, that the employment being created in Ontario and across Canada today is minimum wage, part-time employment.

The reason that fewer people are on unemployment insurance and on welfare is because the bar has been raised and the rules have been changed and they don't qualify any more. They are taking good jobs and they're breaking them up into two and three part-time jobs. That's what's happening across this province.

I'm saying to people that they should trust their own instinct on this. They should look around their neighbourhoods and their community and trust their own instinct on it. It is not good. It is —

The Speaker (Hon Chris Stockwell): Statements.

1340

BOB BRATINA

Mr Trevor Pettit (Hamilton Mountain): Once again I rise to pay tribute to an outstanding citizen from my riding high atop Hamilton Mountain. That citizen is Bob Bratina.

Each year the Football Reporters of Canada induct members into their section of the Canadian Football Hall of Fame, which of course is located in Hamilton. This year at the Grey Cup in Winnipeg, the FRC inducted as one of its hall-of-famers long-time Hamilton and Toronto broadcaster Bob Bratina.

Bob has been covering Canadian football for over 30 years, beginning in 1967. He began doing play-by-play in 1981, and since then has been the voice of both the Tiger-Cats and the Argos. During the 1980s, Bob was one of Toronto's most popular radio hosts on CFRB, as he is today on Hamilton Hometown Radio AM 900 CHML.

Bob returned to Steeltown in 1989 and led the fight to keep the Tiger-Cats alive during the difficult period of the recession. Bob's induction into the Hall of Fame has been one of many honours he has received during his broadcasting career in several communities.

In Kitchener he received the police department citizenship award for creating a school safety program. In Toronto he was honoured by Governor General Jeanne Sauvé for his work with St John Ambulance. He has also been recognized by the citizenship court of judges, Canadian Save the Children and the Kiwanis Music Festival.

Bob Bratina is a proud Canadian and Hamiltonian, well known for his knowledge and promotion of Hamilton's history. This year, among his many activities, Bob is the

honorary co-chair of the Hamilton-Wentworth United Way drive.

On behalf of all of Hamilton-Wentworth, I extend sincere congratulations to Football Reporters of Canada hall-of-famer Bob Bratina. I would ask all the members to join me in welcoming and congratulating Mr Bratina, who joins us in the members' gallery today.

BOARD OF INTERNAL ECONOMY DECISION

Mr Rick Bartolucci (Sudbury): Tomorrow night Mike Harris will be in Sudbury to attend a Tory fundraiser where he'll meet the few followers he has in Sudbury, many of whom feel they have to attend so Mike won't bully them when they ask him for money.

Outside there will be people protesting the Tory agenda, including those who have been truly hurt by the Common Sense Revolution. The scenario will be a familiar one, with Harris, as usual, being asked to account for his actions, but this time he will likely be faced with questions involving his actions surrounding the highly publicized Tory sex scandal. Will Mike throw away the fundraising script tomorrow night and explain to both supporters and protesters why he's in agreement with paying \$600,000 in hush money in a bid to make this Tory sex scandal disappear?

It appears his usual bad judgment is backfiring on him again. This Tory sex scandal controversy is growing as a result of the payment because it is so questionable.

Why is he using taxpayers' money to protect his former Speaker in what is clearly a personal matter? Why is he going against all legal advice not to administer a payout? Why is he not supporting the Liberals' position that taxpayers' money should not be used now or ever as a payoff for a sex scandal?

The fact is that the Premier is willing to pay hush money and it begs the question, what are Mike Harris's views on sexual harassment and what message is he sending to Larry Beaton's grade 12 class about that?

VALIANT GROUP OF COMPANIES

Mr Wayne Lessard (Windsor-Riverside): Last evening I had the pleasure of attending the 40th anniversary celebrations of the Valiant group of companies in Windsor. From humble beginnings, Michael G. Solcz created what has become a world leader in mould making, machining, tooling and fabrication, which has 15 facilities in six countries.

For four decades the Valiant group of companies has been dedicated to quality and excellence in the service of its customers. They have been flexible and adaptable to the specific needs of those customers, no matter how challenging they may be, and they've also proven to be generous corporate citizens, sharing the benefits of their success and doing so much to improve the health, welfare and quality of life in our community.

A big part of their success is their keen sense in hiring motivated team players, treating them fairly and ensuring they enjoy what they do. They have recognized that happy employees are productive employees, and they've impressed upon those employees and their partners, associates and suppliers the importance of demonstrating confidence, leadership and innovation in everything they do. Those are qualities that will ensure that the Valiant Group of companies are well poised to continue the tradition of success they've enjoyed into the next millennium.

I was pleased to be there to congratulate the Valiant Group of companies on their success and wish them further success in the future.

CANADIAN NORMANDY PROJECT

Mr E.J. Douglas Rollins (Quinte): It is my pleasure to rise in the House today to speak on behalf of the members of the 14th Field Regiment, Royal Canadian Artillery (Children's Association).

These veterans of the D-Day landings at the battle of Normandy have conceived of a project that will, for the first time, inform thousands of people who visit Normandy and the invasion coast of the contribution Canada made on land, sea and air in liberating Europe. The Canadian Normandy Project, as it is called, will see the construction of an information centre at Bernières-sur-Mer, one of the first towns liberated by the Canadian troops on D-Day.

Visitors will see authentic newsreel footage and still photos, and hear audio recordings combined with colourful animated computer graphics. Artifacts such as war art, posters and uniforms will be loaned by the Canadian War Museum. Through the use of interactive computer terminals, visitors will have access to a wealth of information on the air war, the Battle of the Atlantic, the Italian campaign and other events.

I would like to encourage the people of Ontario to support this worthy project by calling 905-333-0233 with their donations. I would also like to thank Don Jamieson, a constituent of mine, for bringing this to my attention.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Tony Martin (Sault Ste Marie): I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

Clerk at the Table (Ms Lisa Freedman): Your committee begs to report the following bill as amended:

Bill Pr25, An Act respecting the Ontario Association of Certified Engineering Technicians and Technologists.

The Speaker (Hon Chris Stockwell): Shall the report be received and adopted? Agreed.

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr John O'Toole (Durham East): I beg leave to present a report from the standing committee on general government on the Greater Toronto Services Board and move its adoption.

Clerk at the Table (Ms Lisa Freedman): Your committee begs to report the following bill as amended:

Bill 56, An Act to establish the Greater Toronto Services Board and the Greater Toronto Transit Authority and to amend the Toronto Area Transit Operating Authority Act / Projet de loi 56, Loi visant à créer la Commission des services du grand Toronto et la Régie des Transports en commun du grand Toronto et à modifier la Loi sur la Régie des transports en commun de la région de Toronto.

The Speaker (Hon Chris Stockwell): Shall the report be received and adopted? Agreed.

Pursuant to the order of the House dated December 2, 1998, the bill is ordered for third reading.

INTRODUCTION OF BILLS

SUPPLY ACT, 1998

LOI DE CRÉDITS DE 1998

Mr Hodgson, on behalf of Mr Eves, moved first reading of the following bill:

Bill 96, An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 1999 / Projet de loi 96, Loi autorisant le paiement de certaines sommes destinées à la fonction publique pour l'exercice se terminant le 31 mars 1999.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

1350

ORAL QUESTIONS

BOARD OF INTERNAL ECONOMY DECISION

Mr Dalton McGuinty (Leader of the Opposition): I have questions today for the Premier. It was my understanding he was going to be here.

The Speaker (Hon Chris Stockwell): If he's expected to be here, do you want to stand it down? Are your first two questions to the Premier?

Mr McGuinty: Yes, they are.

Mr James J. Bradley (St Catharines): On a point of order, Mr Speaker: We are provided, as you may be aware, with a list of ministers who are going to be here each day. It is always our anticipation, when we have this list of who will be absent and who will be here, that in fact we're going to have the Premier or other ministers in the House.

The Speaker: So I'm assuming he'll be here.

Mr Bradley: The difficulty is when you get into a question period and you have your questions ready for various ministers, including the Premier, and they're not here.

The Speaker: I appreciate your predicament, but the fact is that they say he's going to be here. I'm quite confident he will be here.

Mr Bradley: Oh, he's here, they say. There he is.

The Speaker: OK, time for oral questions. Official opposition.

Mr McGuinty: Premier, I want to raise the issue of the settlement made yesterday directing that 600,000 taxpayer dollars be spent in connection with the Al McLean matter. I raised the issue yesterday with the Deputy Premier and with the minister responsible for women's issues. They told me effectively that they knew nothing about this, that it came as a complete surprise to both of them.

My question for you, Premier, is, did you or any member of your staff at any time in any way advise or influence the decision made by your three cabinet ministers to pay \$600,000 to settle the Al McLean affair?

Hon Michael D. Harris (Premier): I think it's important in this matter that a few things be understood. We're dealing here with the Board of Internal Economy, which is separate from the government. I want to be very clear on a number of things. First of all, I have never discussed with any member of the Board of Internal Economy how he should vote on any of the motions that dealt with this matter. That's plain and simple.

What the opposition members seem to forget is that we have two individuals, an accuser and an accused, who have made a decision to put this matter behind them. I think it's very important that you understand that and you consider that, particularly in the case of Ms Thompson, in a matter as sensitive as this one. That's the best I can tell you.

Mr McGuinty: Premier, you didn't answer my question. You tell me that the Board of Internal Economy is a body that is separate and apart from you in the cabinet. Three cabinet ministers happen to sit on the Board of Internal Economy, people with whom you regularly meet and discuss issues.

You've got a bit of a track record on this front. In the past, you had no difficulty whatsoever lending direction to your members who sit on the Board of Internal Economy.

In a Toronto Sun article on May 28 you tell the Board of Internal Economy to shelve a particular proposal. One article says, "Premier Mike Harris is determined to block the plan." Another one says, "When Premier Mike Harris got wind of the hike, he put an end to it."

You appoint the board members. You've shown no reluctance in the past to give direction to those board members. How can you expect us to believe that in this particular case, given the amount of controversy that was predictable in connection with this particular matter, you had nothing whatsoever to do with this, neither you nor any single member of your staff?

Hon Mr Harris: I think the example you bring up dealt with an increase in housing allowances. I was asked by the media to express my viewpoint. This didn't involve a lawsuit, it didn't involve wrongful dismissal, it didn't involve lawyers involved on all sides; it involved giving my opinion. I reported that the opinion of our caucus was that we would not be in favour. It turns out that the Board of Internal Economy representatives agreed with that.

Mr McGuinty: Premier, nobody believes that yesterday, when 600,000 hard-earned taxpayer dollars went out the door, you had nothing whatsoever to do with that. Nobody buys that. Your office controls everything. You know that, the members of your cabinet know that and every single backbencher understands that. There is no way that 600 grand went out the door and neither you nor any member of your staff had any influence over this decision. The buck stops with you. Stand up now and admit that not only do you condone this decision but in fact you authorized it, either directly or through your staff.

Hon Mr Harris: I think it's correct to say that I and my office, if you wish, appoint the members on behalf of our party to the Board of Internal Economy. We do so with a great deal of care. We appoint members whom we ask to hear all the facts, to go through the arguments as they are presented. This individual case, I think you would agree with me, given the size of the legal bills, which we're all a little disturbed about and wanted to stop the rise in, is quite a complicated matter.

We have confidence in the individuals from our caucus and cabinet who sit on the Board of Internal Economy. I have been briefed as to what they could brief us on, given the confidentiality arrangements, which obviously not everybody has respected throughout this process in dealing with personnel matters and with lawsuits, given those limitations.

The Speaker: Answer.

Hon Mr Harris: I have said that given the facts, in the interests of the taxpayer and quite frankly in the interests of the two individuals, they believed they made the right —

The Speaker: Thank you. New question, official opposition. Leader of the official opposition.

Mr McGuinty: Premier, let's go over the facts here, which in essence are really quite simple. One of your members, a Conservative MPP, is sued for sexual harassment. This agreement provides that nobody is going to pay anything except for Ontario taxpayers, who had nothing whatsoever to do with this case.

Furthermore, those taxpayers represented by the Legislative Assembly had a lawyer. In fact, as I understand it, there were three separate law firms that advised in this matter and they all provided the same advice: that taxpayers could not be found to be responsible, should not be found to be responsible and therefore should not enter into this agreement. Please tell Ontario taxpayers why it is in their interests to spend \$600,000 of their hard-earned money against the advice of the lawyers representing them.

Hon Mr Harris: You'll have to ask the individual members how they arrived at their assessment. All I can tell you is the information that's been provided to me.

First of all, the member in question was not a member of my caucus when the allegation was made. He was Speaker of the Legislature representing all of you and the Legislative Assembly. Had he been a member of my caucus, there would have been a procedure in place to deal with this. Regrettably, and it couldn't be talked about before, the members tell me, because of potential liability on the Legislative Assembly, there was no procedure in place to deal with it. It's something that our members on the board have said, now that this matter is settled, we'd better get on with making sure the Legislative Assembly has those kind of procedures in place. Had he been a member of my caucus, those procedures would have been in place.

Second, the members, it has been reported to me, indicate they have seen one legal written opinion, one opinion that was put into writing, the one they sought. There have been no other written opinions given to them.

Mr McGuinty: I think the most important opinion in all of this, Premier, is going to be the opinion held by Ontario voters.

I've got an interesting quote today made by Frank Sheehan, one of your members, the member for Lincoln. He says in today's *St Catharines Standard*:

"We have a responsibility to the taxpayers to protect their interests and I don't think they are being served with this decision. I have called upon my colleagues to reverse their decision."

1400

Premier, this man, together with Ontario taxpayers, has got it right. Why don't you stand up and tell us that you are going to distance yourself from this decision, that you reject it, that you won't accept it and that you're calling upon your members to reverse it?

Hon Mr Harris: Quite frankly, neither I nor any other member of this caucus, in fact until the settlement, has been given a lot of the facts and the details, including the fact that there's only one legal written opinion, that sought by our members, and including the fact that there was no policy in place with the Board of Internal Economy. We were not able to get some of those facts because this was a matter that these members are entrusted to keep in confidence while they deal with these very sensitive issues.

As I have been briefed by the members and have been given the facts, as they have been presented to me, it seems to me, given the massive legal bills that have been allowed to build up — the only other bill that I see is for, it looks to me, equivalent wages from the time the wrongful dismissal complaint was laid until a settlement — it was time to stop the bleeding in escalating legal fees and time to do what Ms Thompson had requested be done and settle the matter. I think our members, given all the facts, have put the interests both of Ms Thompson, of Mr McLean —

The Speaker: Final supplementary.

Mr McGuinty: Premier, I rely on the advice of the lawyers representing the Legislative Assembly and therefore the taxpayers of Ontario. Those lawyers specifically said that the Legislative Assembly could not and would not be found responsible for costs or legal damages in this particular matter. Notwithstanding that advice, you proceeded to authorize a decision to send 600,000 hard-earned taxpayer dollars out the door.

We have members of your own backbench now speaking out against this decision. We have the Speaker of this Legislative Assembly, the man who is entrusted with looking after the interests of this Legislature, speaking out against this decision.

Premier, how can you stand —

The Speaker: Leader of the official opposition, my position in this has been clear. I would ask that it not be brought into the Legislature.

Mr McGuinty: There is virtual unanimity that this decision is wrong. It is a misuse of taxpayer dollars. How can you, the guardian of Ontario taxpayers and their money, stand there and tell us that this is an appropriate use of their money?

Hon Mr Harris: All I can do is relay to you the opinions of members on the committee that, given a settlement that they felt could have been achieved a year ago for half this — now it's double this and a year from now it might be four times this — and given something the opposition seems to forget, that there are two individuals here whom you are quick to run roughshod over, particularly the rights and the wishes of Ms Thompson, our committee members have indicated to me that they put her consideration, the accused's consideration, first. Second they put the taxpayers of Ontario, and on both counts they feel they made the right decision.

The Speaker: New question, leader of the third party.

Mr Howard Hampton (Rainy River): I have a very simple question for the Premier, and it is this: It is your position, Premier, that you believe it is appropriate for the taxpayers of Ontario to pay \$600,000 to rescue a member of your Conservative caucus from a sexual harassment scandal. Do you believe that, Premier?

Hon Mr Harris: I'm sorry, I didn't quite hear the question.

Mr Hampton: We'll try again. It's your position, it's your belief that it is appropriate for the taxpayers of Ontario to pay \$600,000 of their money to rescue a member of your Conservative caucus from a sexual harassment scandal. Is that your position?

Hon Mr Harris: No, my position is the support of four members who felt, given the rapid escalation of legal fees, that the taxpayers were well served settling this issue now. Second, my position is in support of the members who actually took into account the rights and the wishes of the accused and the accuser in this case of wrongful dismissal.

Mr Hampton: We have no doubt you're looking after Mr McLean. That's what this is all about. As for your worry about escalating lawyers' costs, it was your members on the Board of Internal Economy who kept shopping for lawyers, hoping you'd get some advice that you

wanted. But all of the law firms you shopped for came before the Board of Internal Economy and gave the same advice: That none of this dispute was the business of the Legislature; that this was strictly a private matter between two individuals — your member, Mr Al McLean, and Ms Thompson; that it had nothing legally to do with the Legislature; and that even if there were an appeal of the case, there was little probability that the Legislature could be found responsible for Mr McLean's actions. The legal advice that was consistently before the Board of Internal Economy over and over again was that this was a legal matter between a member of your caucus and the complainant.

The Speaker: Question.

Mr Hampton: There was no possibility or a very slight possibility of greater liability. I ask you again, is it your position that the taxpayers should pick up this expense for one of your members?

Hon Mr Harris: My position is to support the members who actually saw one written legal opinion that said the Legislative Assembly could face substantially higher costs. That was the only opinion that any lawyer had put in writing to give to any of our committee members at any time, and the only one they had. I do know there were several hundred thousand dollars of lawyers' fees on behalf of Ms Thompson, on behalf of Mr McLean and on behalf of the Legislative Assembly that seemed to have doubled over the last year and might very well have doubled over the next year.

Our members took a position in the interests of Ms Thompson, in the interests certainly of Mr McLean, in the interests of two people who said, "There is a dispute here and we wish to resolve it"; two members who asked that that be done, two members who also asked that legal fees be paid for that had been compiling over the two years that this matter had not been dealt with, many would say not very promptly.

The Speaker: Final supplementary.

Mrs Marion Boyd (London Centre): Premier, you're full of pretense here. Let's not have any more baloney. This is strictly a political settlement that you're making with the Conservative Party to try and rescue Mr McLean. It's the good old boys in the Conservative caucus coming to the rescue of a grand old boy with public funds. And let's be very clear, it has nothing to do with limiting public costs; it has to do with stopping the bleeding that's happening, because this is a candidate for you who wants to run in the next election. It has nothing to do with sexual harassment. And we are fed up with your pretense that you care about the concerns of Ms Sandi Thompson. There's been no evidence of that all along the line — none at all.

For you to try and claim that this is some kind of altruistic action when it is simply a political move to hush up this scandal is disgraceful. How can you stand there and tell the people of Ontario that this is anything except a political hush mechanism?

Hon Mr Harris: There are two political parties that are playing politics with this issue. There are two political parties that have forgotten something: They have forgotten

the rights particularly of Ms Thompson. I am astounded quite frankly that your party — I'm not so surprised at the Liberal Party; I am surprised at your party — has forgotten the rights and the wishes of Ms Thompson. You've also completely ignored the rights of anybody who has been accused. You do that from time to time. That doesn't surprise me quite as much.

Mrs Boyd: You should let him exonerate himself in court.

The Speaker: Member for London Centre, come to order.

Hon Mr Harris: This matter as well, as you know, is still sitting in the files and is before the Human Rights Commission. Before you prejudge everybody, you might want to bear that in mind. I know with your legal background, you are very careful how you word things, as opposed to other members of the Legislative Assembly.

I would say this to you: The members of the committee felt they were protecting the rights and the wishes and the interests of two people who wished to resolve a conflict, and indeed of the taxpayers. They believe they accomplished both and we have to support that.

1410

The Speaker: New question, leader of the third party.

Mr Hampton: Premier, since you are so intent on defending Mr McLean and defending your government members on the Board of Internal Economy, I wonder what it was that possessed your members to come to the Board of Internal Economy meeting on December 2 and advocate for a settlement that only Mr McLean's lawyer had requested. What you're putting forward here, what you're asking taxpayers across this province to swallow, is not what Ms Thompson's lawyer came and asked for, it's what Mr McLean's lawyer came and asked for. What your members of the Board of Internal Economy are trying to get the taxpayers of Ontario to swallow, \$600,000 worth, is almost identical to what was requested by Mr McLean's lawyer. Can you tell us what's in your mind when you simply accede to everything that Mr McLean's lawyer is requesting?

Hon Mr Harris: I know none of those details and I don't know how you know.

Mr Hampton: Premier, despite your efforts to put a lid on this, despite your government's efforts to say, "We see nothing, we know nothing, we hear nothing and we don't want to ask any questions," the fact of the matter is this is going to get out, it's going to become public, so you might as well answer the questions here. Do it up front.

Here's the problem you've got, Premier: On December 2 your members go to the Board of Internal Economy and put forward a motion to have the taxpayers of Ontario swallow \$600,000 to settle a private sexual harassment scandal for one of your caucus members. There's absolutely no evidence why the taxpayers of Ontario should bestow \$600,000 on Mr McLean to get him out of a sexual harassment scandal. Can you tell us what is the evidence?

Hon Mr Harris: No, I'm not aware of the evidence. You seem to be aware of more than I am aware. I don't

know if you sit on the Board of Internal Economy. I know I don't. I don't even keep track of who your members are. I know the members are charged with trying to assess the facts as they see them. I can only tell you what I have been told. I'm at a disadvantage because our members can't answer in the Legislature, because none of this is a matter of government or of government business or of government policy; it's the Legislative Assembly.

Our members have certainly been quite willing to be forthcoming within the parameters of the law. Clearly they would not have wanted to talk about the absence of policy within the Legislative Assembly as that would have increased the liability of the Legislative Assembly, certainly in the legal opinion. But that is now a matter of public record and a matter of very public importance.

To the best of my knowledge, out of all this, Mr McLean will have had not one cent of any money and obviously is no longer Speaker of the Legislature.

Mr Hampton: Speaker, on a point of order: I am going to take the Premier up on his offer. I'm asking unanimous consent so that the Minister of Transportation, the minister responsible for Management Board and the government House leader can now answer questions regarding this \$600,000 taxpayer settlement for Mr McLean and we can get to the facts of this once and for all.

The Speaker: Agreed? No. I heard a no.

Hon Mr Harris: If that was the question, I —

The Speaker: Final supplementary.

Mr Hampton: Premier, this is what is confusing about your position. You say you don't know any of the facts when I ask you why your members came to the Board of Internal Economy on December 2 and put before the board exactly what Mr McLean's lawyer was asking for — not what Ms Thompson's lawyer was asking for; exactly what Mr McLean's lawyer was acting for. You say you don't know, yet you say that it's entirely appropriate for the taxpayers of this province to pay \$600,000 to settle Mr McLean's sexual harassment scandal. I didn't think it was the job of taxpayers to go around getting your caucus members out of their scrapes and jams. That's not the job of taxpayers in this province.

Premier, why do your members of the Board of Internal Economy and why do you think it's appropriate for taxpayers to pick up \$600,000 in costs for Mr McLean when you haven't presented any evidence here? Why do you think that's appropriate?

Hon Mr Harris: The evidence, as presented before the Board of Internal Economy and as our members understand it, is that this settlement pays legal fees that were rapidly escalating with every day that went by. I put forward that what you don't seem to want to talk about is that there was an accuser and there was an accused. We are talking about a wrongful dismissal allegation.

Other than a whole whack of lawyers talking over the last two years, there has been very little progress made on that. An assessment had to be made on those lawyers' bills: Would they go higher, since they've doubled over the last year? Our members made an assessment that they likely would. Since the parties wished to resolve this —

and if the Human Rights Commission wishes to proceed on the other allegations, then of course they can — this was in the interests certainly of Ms Thompson and of the accused.

The Speaker: New question, official opposition.

Mr McGuinty: Premier, you don't seem to understand that although the plaintiff has certain rights and Mr McLean has certain rights in this matter, so do Ontario taxpayers. You can protect the rights of Ontario taxpayers, you know, without doing so at the expense of the rights of the plaintiff or Mr McLean. That's what you failed to do in these circumstances.

Our lawyers, the lawyers acting for the Legislative Assembly, the lawyers therefore acting for Ontario taxpayers, said that we could not be found responsible, we should not be found responsible, and that it would be a mistake to make payment. Why is it that all of a sudden you have forgotten that you are the guardian of the rights of Ontario taxpayers? Why in these circumstances did you say, contrary to the advice of our lawyers, that you were going to make this payment?

Hon Mr Harris: It's quite clear that I didn't say any of that. I have supported those members who sat on the Board of Internal Economy who determined that lots of lawyers were getting rich with their legal opinions; the one written one they had indicated that the Legislative Assembly indeed could very well be liable and of course the Legislative Assembly was being sued and of course the Legislative Assembly, over two years, with \$200,000 worth of legal advice, was not able to get that resolved.

Rather than the taxpayers having to pay more tomorrow or next month or next year, we don't particularly see that not carrying out the wishes of Ms Thompson and Mr McLean to resolve this was in the interests both of them and the taxpayer. That was the opinion of our members. Since I wasn't there, I accept their account of that and I accept their decision on that.

Mr McGuinty: The issue is not the size of the legal bills; the issue is who is responsible for the legal bills. The lawyers acting for us, and therefore for the taxpayers of Ontario, said that those bills, those damages, were not our responsibility. Notwithstanding that advice, that counsel, you decided to spend 600,000 taxpayer dollars to settle this matter.

I have a question for you on behalf of Ontario taxpayers. Why did you give away their money when our lawyer told us you should not do that?

Hon Mr Harris: There have been your lawyers, whom you quote. I don't know; I wasn't there listening to them. Certainly Ms Thompson's lawyer disagreed. Mr McLean's lawyer disagreed. The legal opinion our members received disagreed. I think lawyers like to disagree. As long as parties will keep paying them to disagree, they all make a lot of money. That certainly has been my experience. You, as a lawyer, might object to my saying that. That's certainly the case with dozens of cases in Ottawa where legal expenses have been paid on both sides. This is not a new, unusual circumstance, as you suggest.

1420

Our members believe, and quite frankly their record over the last 15 years — if you look at your members and the NDP members and our members, their record of protecting taxpayers is one heck of a lot better than yours or the NDP members', and that's a decision they made.

The Speaker: New question, third party.

Mr Hampton: Premier, you've got a bit of a problem and your members on the Board of Internal Economy have a bit of a problem. You say they're relying on written legal advice. I take it it's from Russell D. Laishley. What doesn't hang together here is that your members came to the Board of Internal Economy on December 2 advocating that taxpayers pay \$600,000 to help Mr McLean out of his sexual harassment suit, but the legal opinion didn't come from Mr Laishley until December 3. Could you tell me, Premier, how can you and your government and your cabinet ministers, who want the taxpayers to fork over \$600,000 to help out poor old Al McLean, rely on a legal opinion that you didn't even have and that in fact didn't arrive until December 3?

Hon Mr Harris: My members say that the facts that you're using are incorrect and I have to rely on them.

Mr Bruce Crozier (Essex South): Why don't you let the minister get —

The Speaker: Order. Come to order, member for Essex South.

Mr Hampton: Premier, you say you want to rely on this legal opinion. The parade of lawyers that your members brought before the Board of Internal Economy — I understand three law firms — all said the thing: that this is strictly a private dispute. In other words, it's Mr McLean's matter. It's not the government's matter, it's not the taxpayers' matter; it's Mr McLean's matter. It is strictly a case between two individuals.

Then you get this letter from Mr Laishley and you want to depend on it, except Mr Laishley says in his opinion, "Please accept the above comments as my general expression, and I reiterate my earlier caution that I advance the comments without any review or assessment of the actual merits of either the Thompson or the McLean claims." He says, "I know nothing about this case, but if you want to fork over \$600,000 of taxpayers' money to help out old Al McLean, you go ahead and do it." Is that your case, Premier? Is that your evidence?

Hon Mr Harris: You forget a number of things. You forget we're dealing with the rights and the wishes of the accused and Ms Thompson. You forget we are dealing with the rights and the wishes of —

Interjections.

Mr Tony Silipo (Dovercourt): The legal opinion did not substantiate your position.

The Speaker: Hold on, Premier. Member for Cochrane North, come to order, please, and Dovercourt. Minister.

Hon Mr Harris: Then you seem to make an allegation that this was a private matter. The Legislative Assembly, as I understand, and the lawyers tried to make that case, tried to remove themselves from the court case and were

unsuccessful. If there were no charges, if there were no allegations against the Legislative Assembly, if it wasn't a matter, then the members of the Legislative Assembly committee would not have been considering it, but there were.

There were liabilities that were building up, legal bills that were building up: up to \$200,000 now on behalf of lawyers who have not given any written opinion yet for the Legislative Assembly; legal bills on behalf of the former Speaker, who in his capacity as employer was being sued for wrongful dismissal — legal expenses that were being built up, and I am astounded that you think it's good politics to allow Ms Thompson after two years, when she wanted to get a matter resolved —

VISITOR

The Speaker (Hon Chris Stockwell): Thank you. Stop the clock for a minute. I want to take this opportunity to introduce in the members' west gallery Mr Ed Philip, the member for Etobicoke-Rexdale in the 32nd, 33rd, 34th and 35th Parliaments. Welcome.

EDUCATION FUNDING

Mr David Tilson (Dufferin-Peel): I have a question for the Minister of Education. I represent the town of Caledon in this place, which is the geographic north half of the region of Peel and is rural in nature.

This past November 24, the Peel District School Board decreed that the parents of elementary school children will have to pay a fee to cover the costs of lunchroom attendants; in other words, the cost of the supervision of children in the lunchroom. Caledon, as I say, is generally a rural area. The majority of the children are bused to and from school and are unable to leave the school property for lunch.

The decision by the Peel board of education is essentially double taxation on my constituents. I would like to ask the minister, how much money does the Peel board of education have available for lunchroom supervision?

Hon David Johnson (Minister of Education and Training): I thank the member for Dufferin-Peel. It is disappointing that the Peel board would head in this direction. I would urge them not to charge for lunchroom supervision. I would concur that many of the taxpayers of Peel would think that they already pay high taxes.

In response to the question, I would say that the Peel board will be receiving about \$623 million for operating purposes this year, which is \$4 million over and above what they received last year. Including all capital purposes, the board will actually be receiving about \$684 million, which is about a \$15-million increase from 1997. Those figures do not include \$7 million over and above that for one-time purposes. Contained within those monies is an allotment of about \$13 million for para-professionals, which could be used for lunchroom supervision. That's where the Peel board should be —

The Speaker (Hon Chris Stockwell): Supplementary.

Mr Tilson: I know when our government changed the education funding formula, one of the reasons was to ensure that every student across Ontario received the same amount of money towards their education. Clearly, this move by the Peel District School Board has unfairly taxed those families that must bus their children to school, as they do in my riding, or are working during the day and expect the school to look after the children for the entire day.

What's next, Minister? Is the Peel board of education going to charge parents for a playground or for school crossing guards or for reading a book in the library? What can you suggest to the Peel district board so that they don't need to take this totally unacceptable position?

Hon David Johnson: I'm not sure what's next, but the Education Act does not authorize school boards to charge parents for supplies or services that are necessary for a student to successfully complete the requirements of a course of study. I would have to interpret that, and ministry staff have interpreted that, in terms of charging simply for lunchroom supervision, it is not authorized within the Education Act. Perhaps some of the other services that the member for Dufferin-Peel is concerned about would not be authorized either.

I will say that across the province we've polled school boards, and of school boards that are receiving exactly the same funding under the same funding formula, none of them charge for lunchroom supervision. Some of them even have enhanced activities during the lunch period and most of them, the majority, do not charge for these extra services.

I would suggest that the Peel board follow the route of the other boards: use the funds that are available through the funding formula or use other administrative funds provided by the province of Ontario.

BOARD OF INTERNAL ECONOMY DECISION

Mr Dalton McGuinty (Leader of the Opposition): Premier, I'm just wondering, do you personally approve of the settlement? You've told us that you thought your members on the Board of Internal Economy reacted appropriately, but I'm just wondering, do you personally approve of the use of 600,000 taxpayer dollars to settle this matter when the lawyer acting for the Legislative Assembly, as you now know, said this was not a good deal for taxpayers?

Hon Michael D. Harris (Premier): I think it's important to understand how the Board of Internal Economy works. Let me tell you that the board has made many decisions that I have not personally approved of. I recall when the Board of Internal Economy bailed out your caucus with \$300,000 overspending and authorized that expenditure in the next fiscal year. I did not approve of that. The board did. I accepted that. It is their role to make a judgment with all the facts before them as to what will best protect the taxpayers and what will see justice served. I accept that they are the ones who have been involved

with this for a number of years and I accept the Board of Internal Economy decision, just as I accepted it when they gave you 300 grand because you overspent and couldn't control your money.

1430

Mr McGuinty: Hang on a second, Premier. You're the taxpayer guy. You ran on that ticket. You look after the interests of Ontario taxpayers. Today Ontario taxpayers have a very simple question: Do you approve of this deal? Do you personally approve of this expenditure? Do you think it was the right thing to do, to take 600,000 taxpayer dollars and spend it on this settlement, contrary to the advice of the lawyers representing the Legislative Assembly? Do you personally approve of this?

Hon Mr Harris: Personally, as head of the government, I have to make sure that we approve of the \$1.5 billion in new health care spending, that we are supportive and approve of new money into education and new money into child care, the highest money ever for child care and pay equity in this province.

I, as you know, as Premier and as head of this government, do not have a voice or a role at the Board of Internal Economy. I appoint people to make the best assessment and the best decisions they can, and I have to rely on those who were there that in fact taxpayers have been protected by cutting the losses: \$200,000 of legal bills for the Legislative Assembly alone that were going to have to be paid and it hadn't even got to discovery yet, as I understand. Had it been allowed to continue, it was on track perhaps to go to \$1 million worth of bills just for the lawyers for the Legislative Assembly. So I accept —

The Speaker: New question, third party. Leader of the third party.

Mr Howard Hampton (Rainy River): Premier, the point you're trying to miss is that three separate lawyers came to the Board of Internal Economy and said: "Look, this is a private matter between Mr McLean and Ms Thompson. The Legislative Assembly has no liability here. You don't have to be involved in this."

Premier, are you trying to tell us that it is a good deal for the people of Ontario, even where we don't have any legal responsibility, where three separate lawyers have come forward and said it's a private matter? You're trying to tell taxpayers that it's a good deal for them to pay \$600,000 for something they're not responsible for? Is that your position?

Hon Mr Harris: Your position is that the Legislative Assembly wasn't involved, even though they were being sued, even though they tried to get out of the suit, and even though they couldn't get out of the suit, and even though they weren't involved, and even though they were paying \$200,000 worth of legal bills. So your position and your premise from which you asked the question not only do not take into account Ms Thompson, not only do not take into account the lack of policy for sexual harassment, not only do not take into account the delays of what was happening, but they're not based on fact.

Mr Hampton: Premier, here's the situation. Your members of the Board of Internal Economy won't come here and answer questions to defend themselves. They

refuse to do that. They went to the Board of Internal Economy with essentially the position that everyone should accede to Mr McLean's lawyer — not to Ms Thompson's lawyer but to Mr McLean's lawyer.

When they try to support their position, they bring forward a legal opinion after the fact, which legal opinion says, "I reiterate my earlier caution that I advance the comments without any review or assessment of the actual merits of either Thompson or McLean."

There is no evidence here on the face of the record that says the taxpayers of Ontario should cough up \$600,000 to pay for Allan McLean's sexual harassment case. There's no evidence. Premier, what's your evidence? Why do you think taxpayers should pay over half a million dollars to help your good friend Al McLean?

Hon Mr Harris: I think the members served what they felt were the best interests of Ms Thompson and Mr McLean, who wanted to resolve the dispute, and the taxpayers of Ontario. The evidence is that when they did wish to settle a year ago, it was half that. The legal bills have doubled in that year. As it's been relayed to me, if there was no responsibility of the Legislative Assembly, why did they run up \$200,000 worth of legal bills and they hadn't even started? I think the facts are obvious. Unfortunately, because of whatever reason, in the case of lawsuits the taxpayers were on the hook for a fair bit of money; not as much as they might have been next year, but a fair bit of money. Perhaps having a proper policy in place to deal with sexual harassment will avoid that in the future, and that's what our members are pushing for.

WOMEN'S HEALTH COUNCIL

Mrs Barbara Fisher (Bruce): My question today is to the Minister of Health. One of the areas of extreme interest to myself and others here is that of women's health issues. As the population ages, women's health issues become more prominent, and I feel it is important for this government to take a proactive role in identifying and moving forward on women's health issues. Could the minister please tell the House what the government has done to prioritize women's health issues.

Hon Elizabeth Witmer (Minister of Health): Our government has certainly indicated that we want to strengthen women's health in Ontario. We have recognized that this is a priority for our government. We have recognized that women do have unique and distinctive needs.

Yesterday I was very pleased, along with my colleague Dianne Cunningham, to officially announce the chair and the members of the new Women's Health Council which our government has established to advise me, as Minister of Health, and our government on issues related to education when it comes to women's health, treatments and doing everything we can to ensure that the services and the accessibility to health are there for all women in this province, no matter where they live.

Mrs Fisher: Thank you, Minister, for taking that proactive role in establishing the council.

I understand, as you said, that the announcement was made yesterday with the minister responsible for women's issues. Could you please identify how the council was formed with regard to input interests on that council, as well as the details of that announcement and what in fact the council's mandate will be over the course of the next few months.

Hon Mrs Witmer: Ms Cunningham and I were very pleased to announce yesterday that Jane Pepino, a long-time advocate of women's health in this province, is the new chair of the Women's Health Council. I was also very pleased to announce that there would be 14 men and women from throughout the province who would be working with Jane on the council. We have selected individuals with backgrounds in academics, health and business. We have identified people from different walks of life, different ages, different cultures. We want to ensure that to the greatest degree possible the council represents all women in this province.

They will be advising us, as I said before, on issues related to treatment, research, education. They will be taking a look at issues such as violence against women, cardiovascular disease, osteoporosis, eating disorders. We are prepared to provide them with \$10 million in order that we can improve and strengthen women's health in Ontario.

1440

BOARD OF INTERNAL ECONOMY DECISION

Mr Dalton McGuinty (Leader of the Opposition): Premier, I'm wondering why it is you are so reluctant to offer your personal opinion with respect to the Al McLean matter. Frank Sheehan had no reluctance to speak out. He said he thought it was a bad deal. Yesterday, Toni Skarica on open-line radio said he didn't support taxpayers paying this money. If two of your backbenchers have the guts to speak out honestly on this issue, why is it that the Premier, the champion of taxpayer rights in Ontario, is incapable of standing up in this Legislature right now and denouncing this settlement?

Hon Michael D. Harris (Premier): Certainly neither one of those members sat on the Board of Internal Economy and neither one of them would know all the facts that were before the members who were on the Board of Internal Economy. Nor do I.

I accept the advice I have been given and I ask you to go back to what's really at stake here. You have an accused and an accuser who wish to settle these differences. They dealt with a matter of employment and wrongful dismissal against the member serving in the capacity of Speaker of the House. Given the record of what was occurring with legal bills, it is hard really to look at the legal costs as they've escalated over the last two years and not agree with our members' opinion that they were likely to go substantially higher in the future.

Mr McGuinty: Premier, the matter is very, very clear. There is only one issue: Should the taxpayers of Ontario be found to be responsible for the damages and legal costs

in this matter? Everybody in the province understands that if our lawyer, the lawyer acting for the Legislative Assembly, tells us that we will not be found to be liable, we will not be found to be responsible, then we should not be making that payment.

I'm coming back to you once again, the champion of Ontario taxpayers. Stand up and tell us why it is that you insisted on proceeding with this payment contrary to the advice of the lawyers acting for the Legislative Assembly when you knew that taxpayers would not be found to be responsible.

Hon Mr Harris: I understand you quoting legal opinions even though you weren't there. There are no written legal opinions for the \$200,000. But these are the same lawyers who went to court four months ago arguing parliamentary privilege and lost the motion. Not only did they have to pay the legal fees for the Board of Internal Economy, because they were found to be able to be sued in this case, they had to pay the legal fees of all the parties involved as well.

Our members made an assessment on the basis of what was occurring and the legal bills escalating and the fact that two individuals involved wished to put this matter behind them, and I think that's an important factor as well. They looked at the only written legal opinion they had and made a decision they believed to be in the best interests of Ms Thompson, of Mr McLean and indeed of the Legislative Assembly, and through them of course of the taxpayers of Ontario.

The Speaker (Hon Chris Stockwell): New question, leader of the third party.

Mr Howard Hampton (Rainy River): Premier, in these kinds of matters they usually go to discovery so that under oath there is the possibility of determining some of the facts. In any case it would be so incredibly unusual for private parties to settle something before it went to discovery. It is even more unbelievably unusual that the Legislative Assembly, which legal counsel said is not in any way implicated in this, would pay \$600,000 to have this dealt with before it even went to discovery. Premier, what is it that you're so afraid of?

Interjections.

The Speaker: Stop the clock. Attorney General, come to order.

Mr Hampton: What is it that you didn't want to come out in the examination for discovery? What is it that you didn't want the public of Ontario to find out that you're in such a hurry you'll spend \$600,000 of taxpayers' money to keep it hushed up?

Hon Mr Harris: I'm certainly not in a hurry, nor were our members on the Board of Internal Economy in a hurry. They did see, after over two years, legal bills mounting and escalating, and they felt quite easily going over the \$1-million mark very quickly. They saw two people who wished to resolve a dispute. They saw an opportunity to limit this rise in legal bills. They saw a Legislative Assembly that ought to cut its losses now because they were mounting and escalating, and I guess for their effort,

they saw two partisan political parties that forgot the right of Ms Thompson and of Mr McLean —

Interjections.

The Speaker: Order. Premier.

Hon Mr Harris: No, I'm finished.

Mr Hampton: Premier, the problems you've got here are, first of all, the lawyers for the Legislative Assembly say, "Look, the Legislative Assembly isn't liable for any of this." It's a basic fact, Premier. Your members of the Board of Internal Economy paraded a number of lawyers before the Board of Internal Economy. They gave the same answer: The Legislative Assembly is not responsible for any of these costs. Al McLean will be.

What it boils down to is this: Despite the best legal advice, you believe it is acceptable to spend \$600,000 of taxpayers' money to rescue your friend Al McLean from his sexual harassment suit. Even the lawyer you cite says he can't vouch in any way for Mr McLean's case.

Premier, what is it that you're afraid of? What is it that you don't want to come out in the public? Why is it that you don't want to even have Mr McLean examined under oath?

Hon Mr Harris: I think you realize this matter still rests before the Human Rights Commission on the sexual harassment side — at least I thought the member understood that. Given the things he's talked about legally here today, I'm not sure he understands much of the law. You keep quoting a lawyer for the Legislative Assembly who says there was no liability. This was a lawyer who advised to go to court, who lost in court, who cost \$35,000, who had to pay all of the legal expenses of all the lawyers involved, and the court said yes, the Legislative Assembly, through the Board of Internal Economy, has to deal with this. So you've stated not one thing that's been factual today in any of your questions, which is about par for the course.

HOME CARE

Mr John L. Parker (York East): My question is for the Minister of Long-Term Care. I read in yesterday's paper an article that says the Prime Minister is musing about a national home care program. I know that while the Prime Minister is just now beginning to talk about it, Mike Harris and the minister have been quietly building the best home care services in the country. Mike Harris has been leading the other premiers of this country by demanding that the federal government put the money back into health care that they took out in the first place.

Given the fact that home care is not included in the Canada Health Act, I'd like to ask the minister how a national program would affect Ontario's home care program, which is already the best in the country.

1450

The Speaker (Hon Chris Stockwell): Stop the clock. I want to take this opportunity to invite all members to welcome to our chamber a special visitor who is seated at the table, Mrs Denise Weeks, who is clerk of the North Carolina House of Representatives state legislature. Welcome.

Minister.

Hon Cameron Jackson (Minister of Long-Term Care, minister responsible for seniors): Could I get the honourable member to repeat his question?

The Speaker: No.

Hon Mr Jackson: No, OK. I want to thank the member for his question and, first of all, I'd like to share with the House that I think all Canadians were a little bit concerned at the cuts to health care undertaken by the federal Liberal government. But more important —

Interjections.

Hon Mr Jackson: The member for St Catharines prefers to say they weren't enough, and that would be completely incorrect, as it is indicated on the record that the member opposite —

Mr James J. Bradley (St Catharines): Point of order, Speaker: No member of this House is allowed to mislead this House. Is that not correct? I ask this question of you.

The Speaker: Member for St Catharines, I see that as an inference and I would ask you to withdraw. If you want to correct the record, that's fine. You don't need to do that. Withdraw the comment.

Mr Bradley: I will withdraw the comment and say the member knows full well that I did not say that.

Hon Mr Jackson: Mr Speaker, I would ask you to check the interjections from the Hansard table. He clearly indicated that —

The Speaker: You know what? I heard him. He didn't say that. Why don't we just move on.

Hon Mr Jackson: The federal government two years ago announced that it was going to dip its big toe into this whole area called a national home care program. The concern that Ontarians have with the federal government's discussions is simply that all across Canada levels for home care are far below those that are currently here in Ontario. In fact, we're funding at the highest rates in all of Canada. The fact is that every province conducts a means test, an asset test or an income test, therefore home care is not a universal program in this country. It is in Ontario and Manitoba. They're the only two provinces that provide it as a universal benefit. Since home care is outside the Canada Health Act, it's clear that the federal government is going to bring in a co-paying system for home care in this country, and that is not acceptable to the province of Ontario.

The Speaker: Supplementary.

Mr Parker: I'm not sure that all Ontarians are aware that we have in this province the best access to home care services in the entire country. I know that in Toronto in the last three years alone, under Mike Harris's leadership, we have increased funding to Toronto community care access centres by over 55%, to over \$190 million this year.

What I'm concerned about, though, Minister, is that when we know that Ontarians are already getting shortchanged by the federal government on employment insurance payments — \$415 per month compared to \$500 in the Maritimes and \$600 in Quebec — are we going to

get shortchanged from the federal government on home care also?

Hon Mr Jackson: The fact is that in Ontario we have increased health care spending by almost \$2 billion, contrasted by a \$2.7-billion cut. Ontarians who are relying on home care programs in this province are relying on the highest-quality, highest-access home care program in all of Canada. We're proud of that record.

Just to give an example — this is where the federal money is going to have to go — it's going to have to go to PEI, where they spend \$32 per person. In Quebec they're spending \$39 per person. In Ontario we're spending \$115 for every person who requires that service, the highest rates in North America, and it's because the Mike Harris government has restructured our health services and moved services closer to home.

I ask the members opposite, especially the Liberal caucus, if you're not going to lobby the federal government, then get your own leader to give a clear statement on where he stands on a home care program for Ontario. He'd turn the clock back and turn back these home care services —

The Speaker: Petitions? Point of order.

PARLIAMENTARY PRIVILEGE

Mrs Lyn McLeod (Fort William): On a point of order, Mr Speaker: Earlier this afternoon the Premier made reference I believe to a parliamentary privilege defence. I would ask whether it's within your purview on behalf of the Legislative Assembly to bring forward to us a clear definition of "parliamentary privilege" and if possible the areas in which that parliamentary privilege applies, in particular whether it can ever apply as a defence in allegations of sexual harassment.

The Speaker (Hon Chris Stockwell): You mean as far as the court case is concerned?

Mrs McLeod: I'm not asking you to make judgments about the court case, Mr Speaker. I'm interested, as a parliamentarian, in the whole question of parliamentary privilege, and I think parliamentary privilege needs to be defined for us so we clearly understand what the limitations, as well as the applicability, of parliamentary privilege are. I believe it would be within your purview as Speaker to provide us with that definition.

The Speaker: I'll take that under advisement, because this is obviously a complicated question.

PETITIONS

DIABETES EDUCATION SERVICES

Mr Frank Miclash (Kenora): I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas the Diabetes Education Service in Kenora is a necessary program; and

"Whereas the Harris government has refused to provide long-term funding for diabetes education in Kenora; and

"Whereas the Ministry of Health has acknowledged that the program is cost-effective given the volume of clients seen and the degree of specialization required;

"Therefore we, the undersigned, join our MPP, Frank Miclash, in calling upon the Legislative Assembly of Ontario to demand that the Harris government provide long-term, stable funding to the Diabetes Education Service in Kenora."

I am in full agreement with that petition and I have added my name to it.

ADOPTION

Mr Alex Cullen (Ottawa West): I have a petition here signed by residents of Windsor, Amherstburg and Tecumseh.

"To the Legislature of Ontario:

"Whereas the Adoption Reform Coalition of Ontario brings together various organizations to recommend reform of Ontario adoption law based on honesty, openness and integrity;

"Whereas existing adoption secrecy legislation is outdated and unjust;

"Whereas 20% of persons in Ontario are directly or indirectly affected by restricted rights to personal information available to other citizens;

"Whereas the adopted person's right to his or her birth identity is rooted in a basic and fundamental human need;

"Whereas most birth parents did not ask for lifelong confidentiality, it was imposed upon them involuntarily;

"Whereas research shows that not knowing basic personal information has proven harmful to adopted persons, birth parents, adoptive parents and other birth relatives; and

"Whereas research in other countries has shown that unqualified access to information" in adoption "satisfies the overwhelming majority of the parties involved;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act in this regard."

SCHOOL ACCOMMODATION

Mr Ernie Hardeman (Oxford): I have a petition I'd like to present on behalf of the member for St George-St David, and it's to the Legislative Assembly of Ontario.

"Whereas the St Michael Catholic School annex is part of the school accommodation review because it is a leased space; and

"Whereas one of the largest expenses of St Michael Catholic School is the renovated squash courts which serve as classrooms for approximately one third of the student population, known as the annex; and

"Whereas the students of St Michael Catholic School are experiencing 23 days' lost teaching time yearly; and

"Whereas there is an historic and economic solution to this problem which the Toronto District School Board refuses to negotiate;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Education be instructed to resolve this issue to the satisfaction of all parties."

I present it on behalf of the constituents from St George-St David.

ELECTION CALL

Mr Pat Hoy (Essex-Kent): I have a petition signed by a number of members of OPSEU local 126.

"To the Legislative Assembly:

"Whereas the current provincial government under Mike Harris has destroyed labour relations, gutted the WCB, caused rampant dependence on gambling, has contributed to mass homelessness and poverty while eroding our health care, educational and municipal institutions, we, the people of Chatham-Kent, are demanding that an election be called now, before the province is destroyed morally, ethically and financially."

I affix my name to this petition.

HOSPITAL RESTRUCTURING

Mrs Marion Boyd (London Centre): I have a petition to the Legislative Assembly of Ontario, signed by hundreds of citizens of the tri-county area, which reads as follows:

"Whereas we are the residents covered by the tri-county, Lambton-Kent-Essex District Health Council; and

"Whereas we are the taxpayers covered under the Health Services Restructuring Commission, Lambton hospitals; and

"Whereas we are the health care providers and users;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to reinstate all complex continuing care beds and transitional care beds and funding slated to be removed under the Lambton hospitals restructuring report."

I'm pleased to affix my signature.

EDUCATION FUNDING

Mr David Tilson (Dufferin-Peel): I have a petition concerning the funding formula as introduced by the province of Ontario and I have signed this document to identify it.

PROTECTION FOR HEALTH CARE WORKERS

Mr Sean G. Conway (Renfrew North): I am proud to present a petition to the Legislative Assembly.

"Whereas nurses in Ontario often experience coercion to participate in practices which directly contravene their deeply held ethical standards; and

"Whereas pharmacists in Ontario are often pressured to dispense and/or sell chemicals and/or devices contrary to their moral or religious beliefs; and

"Whereas public health workers in Ontario are expected to assist in providing controversial services and promoting controversial materials against their consciences;

"We, the undersigned, urge the government of Ontario to enact legislation recognizing the freedom of conscience of health care workers, prohibiting coercion of and unjust discrimination against health care workers because of their refusal to participate in matters contrary to the dictates of their consciences and establishing penalties for such coercion and unjust discrimination."

1500

ELECTION CALL

Mr Gilles Bisson (Cochrane South): I have a petition signed by a number of people. It reads as follows:

"Whereas the government of Ontario has not listened to the public on Bill 160; and

"Whereas the government of Ontario has chosen to overtly deceive the people of Ontario as to the true objectives of Bill 160; and

"Whereas we, the people, believe that no government has a mandate to act in isolation of the wishes of the electorate of this province and we have lost confidence in this government;

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to dissolve the Legislature and call a general election forthwith to get rid of the Conservative government."

I sign it.

REMEMBRANCE DAY

Mrs Julia Munro (Durham-York): I have a petition:

"To the Parliament of Ontario:

"Whereas it is important to honour the courageous memory and sacrifices of Canada's war dead and of our veterans who fought in defence of our national rights and freedoms;

"Whereas there is a need for succeeding generations of young, school-age Canadians to learn more about the true meaning of Remembrance Day;

"Whereas Ontario veterans' associations have created excellent educational materials for use in Ontario schools on the meaning and significance of Remembrance Day;

"Whereas a special Remembrance Day curriculum for all grades in Ontario's education system, developed on the basis of the programs by Ontario veterans' associations and involving their direct participation, would increase awareness of and appreciation for Canada's wartime sacrifices in the hearts and minds of all Ontario citizens;

"Therefore we, the undersigned, petition the Parliament of Ontario as follows:

"That the provincial Ministry of Education and Training ensure that a suitable Remembrance Day

learning unit be included in the curriculum of all grades of Ontario's education system."

I affix my signature to this.

SCHOOL CLOSURES

Mr Tony Ruprecht (Parkdale): I have a petition signed by a number of people very much concerned with the issue of school closures, and it's addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the Ontario government is to slash education funding which could lead to the closure of many neighbourhood schools, including one of the most community oriented schools, like Hughes Public School; and

"Whereas the present funding formula does not take into account the historic and cultural links schools have with the communities nor the special education programs that have developed as a direct need of our communities; and

"Whereas the prospect of closing neighbourhood schools will displace many children and put others on longer bus routes; and

"Whereas Mike Harris promised in 1995 not to cut classroom spending but has already cut at least \$1 billion from our schools; and

"Whereas Hughes Public School is a community school with many links to the immediate neighbourhood such as daycare and parenting centres, a site for sports activities, community events, summer sport camp, summer camp for deaf children and an international language and concurrent program;

"Therefore we, the undersigned citizens, demand that the Harris government changes the funding formula to take into account the historic, cultural and community links that Hughes Public School has established."

Since I agree very much with this petition, I'm affixing my signature to it.

REGULATION OF SOCIAL WORKERS

Mr Peter Kormos (Welland-Thorold): I have a petition addressed to the Legislative Assembly of Ontario, reading:

"We, the undersigned, are opposed to the Social Work and Social Service Work Act, Bill 76, legislation now being proposed by the government of Ontario, because its provisions will not protect the public, will not protect against the deterioration of social service, and this bill does not respond to the need for social justice in Ontario. We demand professional input from other groups who are impacted by this legislation and demand public hearings on this bill."

It is signed by Ron Wing of Welland, Shailagh Hart of Sudbury, Fred Hahn of Toronto and hundreds of others. I present this to you now, Speaker.

PORNOGRAPHY

Mr Bob Wood (London South): I have a petition signed by 339 people.

"Whereas children are exposed to pornography in variety stores and video rental outlets;

"Whereas bylaws vary from city to city and have failed to protect minors from unwanted exposure to pornography;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To enact legislation which will create uniform standards in Ontario to prevent minors from being exposed to pornography in retail establishments; prevent minors from entering establishments which rent or sell pornography; restrict the location of such establishments to non-residential areas."

VISITING SPECIALIST CLINICS

Mr Michael A. Brown (Algoma-Manitoulin): I have a petition to the Legislative Assembly of Ontario.

"Whereas the objective of the visiting specialist clinic program is to provide specialty services in communities where the population base cannot support a full-time specialist and where specialty services are established more than 40 kilometres away from those communities; and

"Whereas communities in Algoma-Manitoulin, including Espanola, Manitoulin Island, Elliot Lake, Blind River, Chapleau, Wawa, Hornepayne and Manitouwadge are situated great distances from the nearest established specialty services and travelling such distances poses undue hardship on people requiring these services; and

"Whereas the Ministry of Health has withdrawn funding for specialist support staff, seriously threatening the clinic program; and

"Whereas funding by the Ministry of Health for travel grants would far outweigh the costs to the ministry of providing support staff funding;

"We, the undersigned, petition the Legislative Assembly of Ontario to restore funding for support staff for the visiting specialist clinic program."

I'm proud to affix my signature to this petition.

ADOPTION

Mr Alex Cullen (Ottawa West): I have a petition signed by residents of Richmond Hill, Aurora, Sutton, Newmarket, Keswick, Peterborough, Lakefield, London and a whole host of other communities in Ontario. It's to the Legislature of Ontario.

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to:

"Permit unrestricted access to full personal identifying birth information to adopted persons and adult children of adopted persons, and unrestricted access to the adopted person's amended birth certificate to birth parents, birth

grandparents, siblings and other birth relatives, when the adopted person reaches 18;

"Permit unrestricted access to identifying information to adoptive parents of minor children, emancipated minor adoptees, and individuals with legal guardianship for an adopted person in special circumstances;

"Allow adopted persons and birth relatives to file notice stating their wish for no contact;

"Replace mandatory reunion counselling with optional counselling;

"Permit access to agency and court files when original statistical information is insufficient for identification of and contact with birth relatives;

"Recognize open adoptions in the legislation."

I affix my signature to this.

The Acting Speaker (Mr Gilles E. Morin): The member for Durham East.

Mr John O'Toole (Durham East): It's a very timely petition that I intend to read into the record. There have been articles in the paper. In fact, the member for Riverdale has got a private member's bill, Bill 88, on the subject of adoption.

The Acting Speaker: Read your petition, please.

Mr O'Toole: "Whereas the Adoption Reform Coalition of Ontario (ARCO) brings together various organizations to recommend reform of Ontario adoption law based on honesty, openness and integrity;

"Whereas existing adoption secrecy legislation is outdated and unjust;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child; these rights are denied to persons affected by secrecy provisions in adoption laws of the Child and Family Services Act and other acts in Ontario;

"Whereas 20% of persons in Ontario are directly or indirectly affected by restricted rights to personal information available to other citizens;

"Whereas the adopted person's right to his/her birth identity is rooted in a basic and fundamental human need;

"Whereas most birth parents did not ask for lifelong confidentiality; it was imposed on them involuntarily;

"Whereas research shows that not knowing basic personal information has proven harmful to adopted persons, birth parents, adoptive parents and other birth relatives;

"Whereas research in other countries has shown that unqualified access to information in adoption satisfies the overwhelming majority of the parties involved;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to:

"Permit unrestricted access to full personal identifying birth information to adopted persons and adult children of adopted persons, and unrestricted access to the adopted person's amended birth certificate to birth parents, birth grandparents, siblings and other birth relatives, when the adopted person reaches age 18.

"Permit unrestricted access to identifying information to adoptive parents of minor children, emancipated minor adoptees and individuals with legal guardianship for an adopted person in special circumstances;

"Allow adopted persons and birth relatives to file notice stating their wish for no contact;

"Replace mandatory reunion counselling with optional counselling;

"Permit access to agency and court files when original statistical information is insufficient for identification of and contact with birth relatives;

"Recognize open adoptions in the legislation."

This timely petition I'm pleased to support.

1510

HOTEL DIEU HOSPITAL

Mr James J. Bradley (St Catharines): I have a petition that reads as follows:

"To the government of Ontario:

"Since the Hotel Dieu Hospital has played and continues to play a vital role in the delivery of health care services in St Catharines and the Niagara region; and

"Since Hotel Dieu has modified its role over the years as part of a rationalization of medical services in St Catharines and has assumed the position of a regional health care facility in such areas as kidney dialysis and oncology; and

"Since the Niagara region is experiencing underfunding in the health care field and requires more medical services and not fewer services; and

"Since Niagara residents are required at present to travel outside of the Niagara region to receive many specialized services that could be provided in city hospitals and thereby not require local patients to make difficult and inconvenient trips down our highways to other centres; and

"Since the population of the Niagara region is older than that in most areas of the province and more elderly people tend to require more hospital services;

"We, the undersigned, request that the government of Ontario keep the election commitment of Premier Mike Harris not to close hospitals in our province, and we call upon the Premier to reject any recommendation to close Hotel Dieu Hospital in St Catharines."

I affix my signature as I'm in complete agreement with its sentiments.

ORDERS OF THE DAY

TIME ALLOCATION

ATTRIBUTION DE TEMPS

Hon Jim Wilson (Minister of Energy, Science and Technology): I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 81, An Act to

implement tax credits and revenue protection measures contained in the 1998 budget, to make amendments to other statutes and to enact a new statute, when Bill 81 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time, the bill shall be ordered for third reading;

That no deferral of the second reading vote pursuant to standing order 28(h) shall be permitted;

That the order for third reading may then immediately be called;

That two hours shall be allocated to the third reading stage of the bill after which time the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment;

That the vote on third reading of the bill may, pursuant to standing order 28(h), be deferred until the next sessional day during the routine proceeding "deferred votes"; and

That, in the case of any division relating to any proceeding on the bill, the division bells shall be limited to five minutes.

Mr Speaker, I'll be splitting my remarks this afternoon with the members for Halton Centre and Peterborough, and I think it's appropriate at this time to yield the floor to the member for Halton Centre.

Mr Terence H. Young (Halton Centre): Today I'd like to speak in support of the time allocation motion for Bill 81, the Tax Credits and Revenue Protection Act, 1998, for a speedy passage of this resolution.

With this bill, as Minister Eves said at first reading, the government is exceeding the commitments we made in the spring budget. Measures in this bill will help parents get and keep jobs while ensuring that their young children are well looked after, both by reimbursing parents for part of their child care costs and by encouraging construction and renovation of licensed child care spaces.

Some \$40 million from the existing child care tax credit will be combined with an additional \$100 million in 1998-99 to create a new program that supports working families with young children. The Ontario child care supplement for working families will provide support to help parents in the workforce, in school and also in training. Under this program, low- to middle-income working families would receive annual payments of up to \$1,020 for each child under age seven. That is a tax-free monthly payment of \$85. More than 350,000 children in 210,000 families are expected to benefit from this program.

It is urgent that these payments go out to the families across the province who are so desperately in need of support for their essential child care needs. The Ministry of Finance has heard from parents all over Ontario who not only welcome the program but want to know when they will be getting their payments. In many instances, this is the only child care support these parents and guardians will receive.

The first payment will be made following royal assent. If royal assent is in December 1998, a lump sum payment will be made for the period July 1998 to December 1998, and starting January 1999 the supplement will be paid monthly.

Benefits will not only go to working families but to low- to middle-income families where one parent stays at home to care for a child under age seven. In addition, parents who attend school, who are getting training and have child care expenses for their children under age seven are also eligible.

The supplement is intended to go to families who need it most. It goes down in value as family net income rises above \$20,000. For example, for a family earning \$20,000 with one child under age seven, the annual payments through this new program could amount to \$1,020, or \$85 a month. For a family earning \$25,000 with two children under age seven, the annual payments could be \$1,640, or \$136.67 monthly. For a family earning \$35,000 with three children under age seven, the annual payments could be \$1,860, or \$155 monthly.

The amount parents or guardians receive will be based on a number of factors: the number of children under age seven in the family, the family's prior-year earned and net income, child care costs and whether the child care costs are subsidized. The benefit year will be July to June. Prior to each new benefit year, qualifying families will be sent an individualized application form which must be filled out and returned.

It is truly a supplement for low- to middle-income working families. Benefits disappear at \$32,750 for a family with one child under age seven, \$45,500 with two children, \$58,250 with three children, \$71,000 with four children and \$83,750 with five children.

Bill 81 would also increase the access of working parents to affordable child care by providing a new tax incentive to incorporated and unincorporated businesses that create or improve licensed child care facilities or that make contributions to child care operators to construct or renovate facilities. The tax deduction for corporations would be equal to 30% of qualifying expenditures incurred after May 5, 1998, in constructing or renovating licensed child care facilities. Unincorporated businesses would be entitled to an equivalent refundable tax credit of 5%. The tax incentive would be available to businesses, other than child care businesses, operating permanent establishments in Ontario.

This incentive would also be available for contributions of cash, property or services by businesses to child care operators —

Mr David Christopherson (Hamilton Centre): On a point of order, Speaker: I don't believe there's a quorum present.

The Acting Speaker (Mr Gilles E. Morin): Would you check if we have quorum?

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: Member for Halton Centre.

1520

Mr Young: This incentive would also be available for contributions of cash, property or services by businesses to child care operators if the contribution is used by the operator constructing or renovating licensed child care facilities. Capital costs for playground equipment would also qualify.

This bill helps people with disabilities get jobs, people who deserve and want to work. The legislation is a companion piece to the government's historic Ontarians with Disabilities Act, which was introduced on Monday, November 23, the same day as this bill. Our bill provides positive fiscal measures to encourage and facilitate the participation of Ontarians with disabilities in the social and economic life of the province.

To support businesses that hire employees with disabilities, the workplace accessibility tax incentive would provide corporations with an additional 100% deduction for qualifying expenditures incurred to accommodate an eligible person with a disability. An equivalent 15% refundable tax credit would be provided to unincorporated businesses.

We're helping provide access to capital for small business in Bill 81. This bill contains provisions to enhance the community small business investment funds program and the labour-sponsored investment funds program. These provisions will increase access to capital for small businesses in communities throughout Ontario, helping them to grow and create jobs. The bill implements the 1998 Ontario budget proposal to further increase the flow of investment capital to Ontario's small business sector and proposes enhancements from consultation.

We're cutting taxes to create jobs. To encourage job creation and growth in high-technology, knowledge-based industries, the bill proposes tax incentives to support the interactive digital media, sound recording and computer animation and special effects sectors. These initiatives will help businesses in these industries to grow and to contribute to the development of long-term, internationally viable Ontario industries with jobs for the future.

This bill further supports job creation by reducing the payroll tax on small business. The phase-in of the \$400,000 employer health tax exemption is being accelerated by increasing the exemption for 1998 from \$300,000 to \$350,000 for employers and self-employed individuals. In 1999, the employer health tax on self-employed individuals will be eliminated. This measure was enacted in 1996, Bill 47.

We're also addressing the underground economy in Ontario. Tax compliance incentives, such as new or increased penalties for failure to comply with corporations tax, and retail sales tax and tobacco tax legislation form a part of the revenue protection measures referred to in the title of this act. Proposed amendments to the Tobacco Tax Act enhance existing sanctions by prohibiting possession of unmarked cigarettes by unauthorized persons and parallel the existing provisions relating to the possession of unmarked cigarettes for the purposes of sale.

The bill also proposes increases to fines under the Retail Sales Tax Act when a person is convicted of offences related to record maintenance, including making or participating in the making of false or deceptive statements, evasion of tax through record destruction, and making or permitting false record entries. The bill proposes increased fines and penalties to deter underground distribution of marked cigarettes by unlicensed wholesalers.

This government remains committed to tax fairness through cutting taxes and ensuring that taxpayers receive efficient and effective public services.

There are also non-taxation measures in this bill intended to implement other measures that have previously been announced. The amendment to the Pension Benefits Act would enable the government to implement, by regulation, a response to its current public consultation on possible access to locked-in retirement savings in situations of financial hardship or shortened life expectancy. The amendment would also enable the government to implement, by regulation, possible reform of rules governing life income funds, which are a type of locked-in retirement savings arrangement. The government is planning a consultation on this issue.

The amendment is an enabling provision that would address a limited, technical point in the legislation. The regulations prescribing the circumstances of additional access will be developed following ministry consideration of submissions received during the two consultations. This provision relates to money that was taken out of a pension fund when a former employee terminated employment before retirement; it does not involve access to money or benefits in a pension fund.

The Minister of Finance announced in the May 1998 budget that in light of the agreement between the Ontario Teachers' Federation and the government, the government would be introducing legislation to amend the Teachers' Pension Act. The Ontario teachers' pension plan is now exempt from the requirement under the Pension Benefits Act that actuarial gains in the pension fund must first be applied to reduce any unfunded actuarial liability of the plan. The amendments in this bill to the Teachers' Pension Act repeal that exemption.

This bill also makes technical amendments with respect to the use of such actuarial gains. The requirement that the Minister of Finance make payments respecting the initial unfunded actuarial liability of the plan is to be repealed by proclamation after the liability has been eliminated.

Turning to another non-tax measure provided by this bill, schedule A of the Services Improvement Act, 1997, amended the Ambulance Act to provide for the transfer to municipalities of full funding responsibility for land ambulance services as of January 1st, 1998, and full responsibility for ensuring the proper provision of such services as of January 1, 2000.

This government has proven in the first three years of its mandate that tax cuts create jobs. This year we were able to bring in the 30% cut in personal income tax rates that we promised a full six months ahead of schedule. By

spring of this year we had already announced 30 tax cuts. The deficit has declined steadily. With this bill, the government will bring the number of tax cuts it has made to 67.

The measures in this bill will continue to help foster a climate for businesses to create even more jobs and give many more Ontarians the opportunity to earn a good living. I think we can all appreciate the urgent nature of this bill, as it has a wide-ranging and positive impact on the people of this province.

Mr Christopherson: On a point of order, Mr Speaker: Again the government is failing to keep quorum on their own government bill.

The Acting Speaker: Please check if we have a quorum.

Clerk Assistant: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for Halton Centre.

Mr Young: I think we can all appreciate the urgent nature of this bill, as it has a wide-ranging and positive impact on people across this province. People are depending on the approval of this act. I urge speedy passage of this bill.

1530

Mr R. Gary Stewart (Peterborough): It's my pleasure to speak to Bill 81, the Tax Credits and Revenue Protection Act. I'm probably going to speak a little bit from the grassroots level rather than being quite as technical as my colleague, to speak from the perspective of the ordinary working people of this province who will be most pleased when this bill passes. I certainly hope the opposition parties support this bill because, if nothing else, the name of this bill says it all.

This act is created to implement measures that were announced in the May 1998 budget and to enact changes relating to a Supreme Court of Canada decision regarding probate fees. It also amends certain other very important issues. Under this bill, there are six main items. I'd just like to go through them one at a time and address each one, if I may.

Number one is more tax cuts for Ontarians and small businesses to help create jobs. To me, that is the bottom line of this bill, the bottom line being that we have to create and continue to create jobs in this province. As has been mentioned, the 30% tax reduction as well as some 66 reductions in taxes during the term of our government are most impressive and have contributed directly to 461,000 jobs, against the previous two governments having raised taxes 65 times and the previous one having a net job loss of 10,000. If that doesn't say it all, I don't know what does: 641,000 jobs versus 10,000 net job losses.

It was interesting. Last evening, I was at a particular function where one of our local business persons came up to me and talked to me about how great his business was developing. He's in the retail sector, in the pet food and supply business, so it's not something one has to buy every day, unless of course one is a dog owner or a cat owner or a small animal owner. He was suggesting that because people had more money in their pockets because

of tax credits, he over the last six months has taken on two full-time employees and four part-time employees. Again, this is done by tax credits and revenue protection. It says a lot when you can show actual examples of what has happened.

The second item in this is assistance and accessible child care for working families with children. During the time I've been in office, some three and three quarter years, many people who have come through my door in the constituency office were very concerned about making sure they have assistance for child care. The average hard-working, modest-income taxpayer in this province needs that type of assistance. Isn't it wonderful that we can give them the type of assistance they want, especially those who have less income, have lower-paying jobs than others have? I believe this bill addresses that particular situation extremely well.

Number three is greater access to capital for small business. Small business, as all of us know, is the engine of the economy of this province. I know personally, as a small business person, that the number of employees created through small businesses is what makes this province tick and move ahead. If you look at what has happened in the last three or four years since this government took power, small business has been expanding and small business has been growing, and when they do those two things, jobs are created. Jobs are being created at a very rapid rate in this province. It doesn't matter whether it's in small industrial or small commercial; they're being created in the retail sector, in the building sector, in the automotive sector, in all sectors, because of the incentives and the tax credits and the revenue protection that we've put in and that will be enhanced by this act.

Number four is to help people with disabilities get jobs. I believe that in this province for many years the disabled, unfortunately, have had to take a back seat when it comes to having access to jobs. If you look at the Ontarians with Disabilities Act, which is in the process of through this House, yes, it may not be what everybody wanted, but it is indeed a start, a start that has happened by this government. No other government before had the courage or the will to create an Ontarians with Disabilities Act. I believe, and I stand to be corrected, that there is no province in this country that has a disability act.

I salute our government. I believe if you look at the ways in which the act will be reviewed and the procedures that it's putting in place over the next few years — all of the ministries are to look at how they will enhance jobs for the disabled — it can be highly commended.

The fifth one is the support of small business, growing firms and jobs for them. I suggest if you look at those three things, support for small, growing firms and jobs for them, that is looking at the complete package, a package to enhance jobs in this province, to create jobs and to give a track and a path to move into the new millennium, to move into the future where we will have an economically viable and efficient province.

Finally the sixth one is a fairer tax system. As I mentioned, when you look at the two previous governments

raising taxes 65 times, unemployment going higher and higher, social assistance going higher and higher, and now you look at this government trying to introduce a fair tax system where we are reducing taxes at a rate of 66 times in the last three and a half years — again I suggest 641,000 jobs versus a negative of 10,000.

It's interesting to note the increase in jobs and the decrease in social assistance, yet the two opposition parties in this House voted against tax reduction. It's unspeakable to do that, having no concern for the taxpayers of this province. "Tax them forever. Make sure we don't do anything to create jobs. Tax them as much as we can."

Mr Alex Cullen (Ottawa West): On a point of order, Mr Speaker: I believe the motion before us is a time allocation motion. The member for Peterborough has yet to mention the time allocation motion whatsoever.

The Acting Speaker: Member for Peterborough.

Mr Stewart: We need this bill very fast. I thought it was Bill 81, Mr Speaker.

As I suggested before, the opposition voted against any type of tax reduction. I suggest to you that the name of this bill, being the Tax Credits and Revenue Protection Act, says it all in my mind.

Child care for working families certainly has been mentioned. If you look at the \$1,020 that can be received by young, modest, hard-working families, to the tune of 210,000 families in this province, I suggest to you that it will be a tremendous benefit. It may be that some of us, the older ones like myself, tend to forget the hardships of some young families who are raising two or three kiddies and maybe are not having the wage rates they want. To get this type of tax credit, paid on a monthly basis, I think is absolutely tremendous. It will mean that these young families will be able to support their families in a little bit better fashion than they have in the past. So I commend the government very much for introducing this particular bill and these types of incentives within the bill.

The other thing I wanted to mention was disabled accessibility, to encourage business to employ persons with disabilities through incentives. As I mentioned, I believe the disabled in this province have unfortunately had to take a bit of a back seat, but what we are trying to do is to make sure they get to that front seat by giving incentives to business to make sure they can accommodate the disabled, that the disabled will have the opportunity to apply for, and indeed get, those jobs.

1540

I remember about a year ago one of the malls in my riding of Peterborough had a promotion where they asked a lot of people who were not disabled to go into that mall, look through smoke-covered glasses and try to read the various things on the boxes of the products that were being sold there; to get into a wheelchair and go into the bathroom; to go through the mall and try and get in and out of doors; to try and get close to a cash register; to look at the necessary lifts that may be needed, elevators etc.

I suggest that these types of incentives that we're going to give to businesses are most commendable. What it says is that we are concerned and want to make sure that the

disabled have the opportunities that many of us who are not disabled have.

With some of the restrictions, where a qualified employee may not be related to the employer, may not be employed and may not have been employed for the preceding 12 months, it gives some of these people who unfortunately in some cases may not have had the necessary courage to go out and look for a job, because they may not have been able to convince an employer that they were the right person for the job because of the access to that work area — I believe these types of incentives will do wonderful things for them and will expand and create those jobs that we want.

It has been mentioned that this bill also addresses the underground economy, the Tobacco Tax Act and also the Retail Sales Tax Act. I commend the government for looking at those two areas because I'm a great believer that if we put standards and rules in place, they should be adhered to. If you look at what's proposed in the Tobacco Tax Act, the proposed amendments enhance existing sanctions by prohibiting possession of unmarked cigarettes by unauthorized — and I think that's the key word — persons. Wholesale dealers selling tobacco for resale must be authorized by the minister issuing a permit, again keeping the rules and standards in place. People purchasing tobacco for resale are only permitted to purchase it from wholesale dealers who are authorized. Why not make sure that the rules and the standards are adhered to?

It is much the same in the Retail Sales Tax Act. If people are breaking the law, they must be looked at, they must be convicted, whatever it might be. People who are convicted of offences, whether it be related to record maintenance, false or deceptive statements, the evasion of tax through record destruction or making or permitting false record entries — I think it is wrong. This type of act and this legislation addresses that.

I thank the assembly for allowing me to speak on Bill 81. I believe it is a bill that this province needs. I suggest to you that it's been my pleasure to do that and I hope we do get the speedy passage we want.

The Acting Speaker: Further debate.

Mr Alvin Curling (Scarborough North): Before I begin my comments, let me state to you that I'd like to share the time with three of my colleagues: the members for Cornwall, Ottawa East and Scarborough-Agincourt.

Here we go again. The member who previously spoke hasn't mentioned one word about why he was standing up defending another dictatorial, blocking attitude of this government in time allocation. They're going to limit us speaking on something very important.

He started speaking about Bill 81, the Tax Credits and Revenue Protection Act, but basically that's not what the debate is about. The debate is about shutting us down again and running this place in the dictatorial way that Mike Harris and his Conservative government have constantly run it, muzzling us and limiting the time for the expression of the people who are elected to give their representation. I have given this speech over and over, but of course I don't expect them to listen at all. But I hope

that the people out there are listening to the manner in which this government runs its business.

Let me just emphasize what this government is shutting us down on. Bill 81 is going to implement a number of tax provisions announced in the 1998 budget. As well, they are going to look at retroactively implementing estate taxes — that is in lieu of the probate fee court ruling that happened the other day — and the changing rules governing the teachers' pension fund. This is a government that doesn't like to tax. They say they don't implement taxes, but they call it by another name.

I also wanted to mention what is happening out there while they are taking away money from the poor and giving it to the rich. There was an article the other day talking about how the cuts to the poor and the cuts to welfare have created more poverty in this province than ever.

There is an old statement. It seems to me that every time Mike Harris and the minister of trade go travelling, they go around and say, "The United Nations stated that this country is the best country in the world to live in." There are many folks out there who are deprived of jobs or are deprived of affordable accommodation or are deprived of daycare or are deprived of many of the facilities that government is supposed to assist and support who are not saying this is the greatest country. They would like to participate in this wealth that is at the top end of the ladder, of the strata. They say, "Here we are, a great country, but why are there so many homeless?" They are not enjoying this great country that we are talking about, not at all.

I have to emphasize, very much so, things I have always emphasized here about our homeless. I would ask the minister of privatization if he'd like to privatize some of the homeless now too while it's going on. I'd like to look at some of those folks outside. When I speak to them, I want to invite the members here, every single one of the Conservative members, to take a walk with me down University Avenue, not very far, maybe a couple of steps down there, to find the amount of homelessness that is evident in this city. And they're not only here; they're all over. They are in Kingston, they are in Windsor, they are in London; they're all over, caused by this government.

Hon Mr Wilson: Aw, that's awful.

Mr Curling: The Minister of Energy sighs. I think he's concerned about that.

Hon Mr Wilson: Because of this government you have the lowest unemployment, higher welfare rates.

Mr Curling: He expressly said that it's the lowest unemployment. There are hundreds of people who have stopped looking for jobs, hundreds of people who have stopped looking for homes, because there are no affordable homes any more. They're on the street because this same government cut 22% off the welfare subsidies, chasing people out on to the street. We have one of the highest percentages of children in poverty at any time. One of the highest percentages of children don't have enough to eat because this government and the Minister of Community and Social Services, who touts the fact that

when she cuts welfare, many of them are out there finding jobs today. They're not finding jobs; those children are starving. There will be malnutrition in a very short time and it will come back to haunt our province and haunt us later on, because the fact is that children can't even learn if they don't have any food.

The lineups at food banks are longer. More people are going to the food banks. Lots of people are there. The more food that is given, the more is taken at the food bank because of this government, this government which has created poverty for a greater set of people in our society.

1550

This government had a consultant look at the best way to take money away from the poor and paid the consultant an enormous amount of money. This is the government that wanted to save money. The same government that wanted to save money has paid a consultant millions of dollars so they could say they have saved and got people off welfare. It's not happening. It's not happening at all. What is really happening is that they are creating poverty and creating a longer list of the poor.

We made a resolution in Canada that we would wipe out poverty by the year 2000. We are so far from that it ain't funny. We ain't gonna get there. We are worse off today where things are at.

I'm pretty concerned about where this government is going. Today all day in the House the debate was of how they found \$600,000 to pay off a disagreement that was happening about sexual harassment by one of their colleagues here, saying that it's easier to pay the \$600,000 and settle the case.

Let me tell you of a case that happened to me the other day. I was at a place and a young lady called me and said: "Mr Curling, I want to speak to you. My child needs daycare. This government is going around giving money to consultants and giving money to settle cases out of court that could have been paid out of the pocket of the individual. I could use that money to send my child to daycare. I could use that money, when I do send my child to daycare, to pay daycare after I've gone to work to be more productive in our society."

This government is not at all concerned about that. They're not concerned at all. They went ahead and did some rather drastic things to our economy and to our poor. One of the main things they did was cancel rent control, and the minister stands in here and says that it is a way in which to get more homes built. They don't want to hear that. What they have done here is to make sure they have shut us down in this House so we cannot speak. Time allocation. Where is the democratic process that is supposed to exist in this House? It's not there at all.

Let me just again emphasize what we're speaking about that they're shutting us down on. Estate tax; Bill 81 amendments to fix the estate fee court ruling problem. It basically introduces a new Harris tax. Remember that this is the government that says they don't want any more taxes, they don't tax. They may call it another name. They're trying to raise about \$1 billion here, I understand, \$1 billion in estate taxes. Remember, this is a government

that does not believe in taxes at all, but through this process they will raise \$1 billion. As a matter of fact, it's a very attractive tax, going back almost 48 years.

Remember that book they talked about, the Common Sense Revolution? You said: "I will never raise taxes. No. I will resign if I raise taxes."

Interjections.

The Acting Speaker: Gentlemen, order, please. Members, order.

Mr Gerry Phillips (Scarborough-Agincourt): You touched a nerve, Alvin.

Mr Curling: Yes. Every time you bring the facts to them, you touch a nerve. So, what about taxes when they had this common sense and said, "It is written here"?

Hon David Turnbull (Minister without Portfolio): We need some political honesty here.

Mr Curling: My colleague the member for Scarborough-Agincourt carries that book around every day. He said: "I can't believe they had this book. It's written right there in the Common Sense Revolution, 'I will not raise taxes.'" What are they doing now? They're going to try to find \$1 billion, to tax people to get the money.

Hon Mr Turnbull: Try some intellectual honesty for a change.

Mr Curling: I think the chief whip is very annoyed, that I've touched a nerve. His government is not really following the rules of his Common Sense Revolution. They write one thing and say the other. If they would just follow what is written, then we could say, "That's honesty." But what they do is completely contrary to the honest statement they made, "We will not raise taxes." They call it all sorts of names, and now they're looking at \$1 billion in estate taxes.

This government promised child care. I recall that very much. They were going to have a child care tax credit. They promised all that. Now they're coming to the end of their little era and they are rushing through, trying to say, "We have kept our promise." You haven't kept your promise one bit.

You have brutalized the poor. You have assaulted many of the people on the poverty line, just on the edge. Some people are much poorer today because of this Conservative government.

They have disrespected women. It is shown in many ways in the way you speak to the women of this province, who feel this government has no respect for them and their concerns and their needs; not at all. Again, they are watching you rather closely as you do that.

The poor: You feel and some of your colleagues felt, "Some of the minorities don't vote for us so we don't have to pay them any mind." They will come home to haunt you. As a matter of fact, as we saw in the last federal election, many of the new immigrants of this country, who are citizens of this country, are participating a lot and get themselves involved. They're watching the way you have treated the minorities, the way you have treated women, the way you have treated the poor. They're watching you rather closely. They say, "We do not want this type of government that only includes some people, the rich."

Those on Bay Street, of course, can easily be reached and have access to this government. It is this government that told many of those groups that are struggling to survive that they are a little noisy minority group, just a special interest group, and dismissed them.

I recall, if you remember, Mr Speaker, that just after the election we couldn't find one Conservative member around anywhere, we couldn't find any of them, to address some of the concerns the people had voted for because they were scared. Because they were so big and bullying and tough, they don't need those folks. They call them, as I said, a noisy special interest group.

After they have devastated the health care system so that many people are having difficulty accessing emergency care, after they have destroyed rent control and people can't have affordable housing, after they have taken away welfare subsidies and actually almost attacked the poor, now they're coming and dropping it off, bit by bit, dollar by dollar, and saying, "Look how good we are, how compassionate we are."

Mike Harris literally came out and said, "There's a good side to me, you know." He's been turning around and around and we can't find the good side of him yet. "There's a good side and a compassionate and a kind side to me." As to the same compassionate side of Mike Harris, what we have found is that now he has restricted us in expressing our view on these bills, on what can be debated. The public wants to have input and discussion and public consultation on all this legislation. Did we get it? No. They come here and put time allocation. I think they're going to break the record of any government in power on time allocation. They've got a couple more days to go and I'm sure there will be more time allocations that will come about.

As we go out on Christmas break, with the many turkeys and the gifts and food that may be given out, they may feel that this somehow will relieve the poor for the time being. That's only a meal. The permanent damage to our province, to the poor, is very deep.

I want to find out, when is this government going to address affordable housing? When are they going to address the homeless? When are they going to address the child care system that we need? When are they going to address some of the training programs that we want? When are they going to do that? If they don't address that, we know —

1600

Interjection.

Mr Curling: The chief government whip there doesn't want to hear the truth. He's very uncomfortable with the truth. I don't know if you have noticed that, Mr Speaker. The chief government whip is very uncomfortable with the truth. He's very uncomfortable when we speak of how they have brutalized and assaulted the poor people in our province. Whenever it is raised, he is extremely concerned that they could just put time allocation on this time allocation. I could speak for less, but he has to sit there and listen and he had better listen. If he doesn't, what's

going to happen to the people — I think it's Don Mills he's from. What is his riding?

Mr Bernard Grandmaitre (Ottawa East): Don Mills.

Mr Curling: Yes. The fact is that those people will make sure that individuals like you are not returned. We want representation of all the people, not representation of the Bay Streets and all that; we want the representation of all the people in this province.

The Conservative government continue with their right-wing agenda and with their Reform idea — they feel that only a selective few in this province should be listened to — and that will be addressed at the election time.

I wanted to put those points and to remind these members, especially the Conservative members — the Mike Harris agenda, the Common Sense Revolution — who have declared war on the poor that those people will be listening to you and will make their decision at the next election.

I'll put a challenge to them. I would love them to call the election right away. I'd like them to call an election so we can go to the polls, so the women you have denied support will then vote the way they want to, and the young people with their tuition fees that have been increased enormously can then address what has caused them to be in such a predicament today.

Mr Speaker, I want to thank you for giving me such attentive ears and I'm sure the people of Scarborough North — if I don't get a chance again, I hope you all have a wonderful Christmas, but keep in mind those poor people out there and those women who are in need of daycare. After Christmas, there will still be a great need, and the cause of this terrible situation is this Conservative government that's in power today.

Mr John C. Cleary (Cornwall): I'm pleased to join my colleagues in this debate. I've listened to some of the former speakers and I am not impressed with what has been said.

The member for Peterborough has already said how they are helping the disabled in our communities across Ontario. I just want to tell you that in my particular area, Cornwall, a government announcement was being made. People were invited to a room which was not accessible for the disabled. This was the government's own people doing that.

I want to talk a little bit about some of the tax measures announced in the 1998 budget, supposedly to help working families. I can tell you that whatever help this bit of legislation may give to some of these people, it will be more than offset by the tax nightmare the government has created through its own provincial downloading exercise.

I wish I had a little more time but, as you know, this is government policy. They do not allow time to debate. They just ram their bills through the House and everyone is supposed to be happy.

I want to take a minute to talk about the real impact of Bill 81 and the government's tax policies. I want to talk about what is happening to small business, not only in my community but across Ontario. I want to take one

example, a true example, that came out of a public tax meeting which was held in our part of eastern Ontario. I never saw so many angry people.

The one example that I want to talk about is from a hard-working Ontarian. This comes from Dr Brian MacNaughton of Williamstown. Brian MacNaughton is a rural veterinarian, and a darn good one. Over 80% of his business is to the agricultural community. Brian MacNaughton tells me he recently received a 1998 supplementary tax notice. The tax indicated a 330% increase in his business tax. Why? This is isn't a new business. He's been a vet for over 16 years.

Brian MacNaughton wants to know why the Premier is downloading the assessment taxes on the backs of small business. He knows that personal income tax has changed very little in his particular case. He knows farm taxes have changed very little. He wants to know why they are putting a burden on small business. Why does this businessman have this astronomical increase? He has no choice. He will have to pass it on to his clients in the agriculture community, and we all know how much trouble they already have trying to make it in their own particular cases.

Brian MacNaughton asks, "Where is the justice?" He's just trying to make a living, just like hundreds of other small businessmen throughout Ontario. They need answers and they're not getting them from this government.

Having come from a municipal background, I want to go on a little bit to tell about the problems that our municipal politicians are having trying to cope with all the new responsibilities downloaded by the provincial government on to them, namely, land ambulances, policing, social housing and many others, with fewer staff to do the work. They are having a very difficult time.

I want to talk a little bit about health care. In the provincial election, as you know, the Premier promised not to close any hospitals. That has not happened. Not only are the residents of our community worried about their hospitals, they are worried about the service they will have after they are released from hospital and are frightened they won't be able to find access to home care when they need it.

The VON lockout has been going on for months down our way and the people are getting very discouraged that the government wouldn't get involved and solve this problem, because these nurses are much needed in our community. They would sooner see the money being spent with the VON and other nursing providers than to paying out a \$600,000 settlement for a sex scandal which the government members on the committee are almost forcing the others to go along with.

The other thing is that I never saw so much turmoil in the education system. I've been at a number of meetings recently where nice, good, new schools in communities are on the hit list to be closed. These schools are the backbone of the community. The community uses them for public meetings, they use them for their recreation facilities. It's

just going devastate rural Ontario if some of these schools are closed.

I find it very hard because the community has volunteered for many years to get the facilities they have, not only in the school situation but also in the hospital situation. We're ticking off many volunteers in the community who have done so much for us for so many years and I don't like to see that happen in rural Ontario.

I guess why I have a soft spot in my heart for rural Ontario is I've always lived in a rural community. They'll work together, and a perfect example of that is those schools were used in this year's ice storm and they did many great things for the community. I just don't like to see this happen.

I'm pleased to have been able to put those few remarks on the record and I look forward to listening to some of the other speakers.

1610

Mr Grandmaître: It's never pleasant to talk about time allocation in this House. Every time a time allocation motion is introduced, it simply diminishes democracy. This is the house of democracy. We are supposed to defend the interests of not only the people in our respective ridings, but to respect Ontarians right across this great province.

Mike Harris was elected as a taxfighter, but he never told us how he would do this. Mike Harris has attacked our education system, health system, social services. People are suffering: sick people, disadvantaged people in the province of Ontario, small children living in poverty, and this poverty is forever increasing.

What this government decided, once they were elected, was to find somebody to do their dirty work. Commission after commission, people were appointed to do the dirty work of the government, and that's exactly what they did. But they realized that the commissions weren't exactly doing what they were told when they were first appointed. For instance, in the health care system, "Close hospitals, save dollars and we'll reinvest; it's going to look good," maybe nine, 10 or 12 months before the election. But it's not working out, for the simple reason that people are looking for better-quality services from our hospitals, from our nurses, from our doctors, and they simply don't have the financial resources to do so.

If we continue on this trend — and we were promised that this government would provide us with adequate funding. We're reminded every day in the House, "Yes, but we're spending more today on health care than we did a year ago." As Chair of the public accounts committee, we have a terrible time when we invite ministry after ministry to provide us with accurate figures. It's not only the Liberal Party that's questioning those figures; the Provincial Auditor is questioning those figures. They can run, but they can't hide.

Let's talk about schools. School closures for the last 16 or 18 months have affected not only our children but parents, every parent in the province of Ontario. Again, commission after commission — and I repeat the word "commission," because this is the tool of the government:

"Let's appoint a commission or committee and let them do the dirty work." That's exactly what these people were doing. They were saying, "Let's have a list of schools to be closed." I was reading in the *Ottawa Citizen* today that in my area 16 schools are supposed to close, nine by this coming September, September 1999. School boards are not equipped at the present time to do this dirty work, for the simple reason that they don't have the dollars. It's true that a new funding formula was introduced, but this formula is impoverishing the public system and the separate system. It's as clear as water.

I can't understand this government trying to sell us goods that don't exist. They're saying, "We're consulting." I receive phone call after phone call from parents who were part of this community working group to identify the possibility of closing their schools or somebody else's school, and yet reports are being tabled without even consideration of what the parents have to say.

In social services, the same thing is happening. They've hired this famous consultant, Andersen, for \$140 billion — sorry, \$140 million. That's a lot of money, but I wouldn't be surprised, coming from this government. In public accounts, we tried to find out from social services how these people were being paid, and I can tell you, we still don't know. They've sent in bills or charges for \$28 million, yet they cannot identify the work that was done for \$28 million.

They're taking advantage of the have-nots, of poor children, poor families. That was their first piece of legislation in the House: "Let's cut back social services or welfare by 22%." People are living on the street because of this piece of legislation. They have nowhere to go, absolutely nowhere to go, and this government takes pride in saying: "Our tax program is working. We've reduced taxes 66 times. We've reduced the personal income tax by 30%, and everybody is enjoying more money in their pockets. More people are working." But not everybody has a regular or steady job in the province of Ontario.

I want to emphasize who is really suffering. Our children are suffering, and this government will be remembered for their actions of the last two and a half years. I simply cannot accept the way they're advertising their good deeds. They're spending millions of tax dollars, \$47 million, to advertise their good deeds, but people in the province of Ontario are smart enough to realize that this is not the case. I'm sure that very shortly the people of Ontario will realize that this government is not doing anybody any favour except their corporate friends.

J'aimerais m'adresser à la Chambre en français pour à peu près trois ou quatre minutes. Je crois que c'est ma responsabilité de m'adresser à la Chambre en français.

J'aimerais vous parler du système de santé en Ontario qui, en ce qui concerne les francophones en Ontario, a été durement affecté dans nos régions. Je dis «nos régions», monsieur le Président, parce que vous faites partie de cette région-là. Nous avons été durement affectés par la possibilité de la fermeture de l'hôpital Montfort, et les gens se sont rassemblés, non seulement les francophones

mais les anglophones. Tous les gens qui recevaient des services auprès de l'hôpital Montfort se sont révoltés en avertissant le gouvernement : «Ne fermez jamais Montfort parce que vous allez entendre parler de nous autres.» Je vous rappelle le soir où nous avons rencontré au Centre civique 10 000 personnes qui disaient : «Montfort fermé ? Jamais.» Ne jamais fermer Montfort.

Une décision doit être prise très bientôt : est-ce que Montfort va garder tous les outils nécessaires pour desservir le seul et unique hôpital enseignant en français ? L'Université d'Ottawa est prête, le gouvernement fédéral a dit qu'il est prêt à investir 10 000 \$ millions, alors je crois que maintenant l'hôpital Montfort et l'Université d'Ottawa et les gens de l'est de l'Ontario attendent le gouvernement. On veut que le gouvernement fasse partie de ce grand événement.

1620

Laissez-moi vous dire que cela inquiète tous les gens. On peut dire ce qu'on veut à la communauté francophone, mais nous avons droit à des services de qualité en français et nous allons exiger que ces services-là demeurent avec nous.

A little while ago, while my friend from Scarborough was speaking, the House government whip —

Ms Frances Lankin (Beaches-Woodbine): Chief government whip.

Mr Grandmaître: The chief government whip loves bringing up the Patti Starr scandal, the Patti Starr affair. I want to tell you, Mr Whip, that I am proud that this government was involved with Patti Starr, because Patti Starr built something for seniors, for children and for families. It's much better than your scandal that you're faced with today, spending \$600,000 of taxpayers' money to protect your one member. I just want to remind the chief whip that when you talk about scandals of other parties, of other governments, you shouldn't broadcast these things because right now it's a big cover-up and I wouldn't be part of your scandal.

Interjection.

Mr Grandmaître: I would repeat it outside as well. You send me a reporter and I'll repeat this.

I don't have too much time; I'm taking up my colleague's time at present. I want to say that this government will pay the price they deserve to pay in the next election.

The Acting Speaker: Further debate?

Mr Phillips: To continue the debate on the closure motion, I say to the public, what we're dealing with here is, and I use this word advisedly, another bully tactic by the Harris government. This is the third this week. I would just say to the public, what we're dealing with here is a government that refuses to allow the public to participate in the legitimate debate of issues here in the Legislature.

Let me give you a couple of specifics. On Monday we dealt with a huge property tax bill. I might add that it is the seventh property tax bill that Mr Harris has brought in since May of last year. There has never been a public policy issue handled more poorly —

Ms Lankin: Botched.

Mr Phillips: — or more botched than this issue. We were dealing with a huge bill on Monday, and the major people involved in this, the ones who have to make it work — AMO, the Association of Municipalities of Ontario; the Clerks and Treasurers, the senior financial officials; the tax people, the people who are responsible for collecting it; and the financial officials — all said: "Listen, we can make this bill better. Let us come and present to you. Let us come and give suggestions on how to improve it."

What happened? The government shut them out. They wouldn't let them have half an hour to present their views. I can't imagine any democratic government refusing to allow the public, and particularly the organizations and the people who understand this issue — they were completely shut out. They were told they couldn't even appear, that they had no opportunity to make any suggestions on the bill. This is a group that had been begging us to listen to them, but no, the government wouldn't hear them. These are the major people who have to make the bill work, and the government shut them out completely.

I don't for the life of me understand how any of the Conservative backbench can allow that to happen. I guarantee that if any municipal council in Ontario said to the public, "We're going to deal with major issues, but we're not going to let you come and talk about them" — that was on Monday. Minister Cam Jackson and Terence Young and Ted Chudleigh and Gary Carr, the members from Halton, went to Halton council, and the region of Halton and the municipalities in Halton and the four chambers of commerce in Halton were all begging for an amendment to this bill. Cam Jackson said, "Oh, I think it's a good idea," but Halton was not allowed to appear, no government member would present their amendment and they were not listened to in spite of the fact that these are duly elected people who have a good point of view. The community, the four chambers of commerce in Halton and all the municipalities and the region of Halton wanted changes, but no, they couldn't even be heard. It's an affront to democracy that we are allowing ourselves to say, "The government knows best and we won't even hear you, let alone accommodate you." That was on Monday.

Yesterday we were dealing with another bill, the Greater Toronto Services Board bill, and exactly the same thing happened. The government forced a motion through that said: "We are not going to allow a single person from the public to appear and let their views be known. The only thing we are going to deal with is amendments to the bill that have to be in before the bill is even debated." Once again yesterday we had a citizen appear in the Legislature, with obviously important and strong views, but not allowed to speak, and that was the regional chairman of Durham. Mr Anderson was here, a well-regarded municipal politician representing a huge area of Ontario, who is going to be dramatically affected by the Greater Toronto Services Board, and whether the government agrees or disagrees with him, surely he has the right to come and present his views.

Today we're dealing with the third one of what can only be described as the bully tactic of shutting off debate. I know Mike Harris thinks that he and he alone knows what's best for Ontario, and he can't be bothered getting input from the public, but I say it's a dangerous, arrogant approach to democracy when you start to shut out the public from any participation.

Ms Lankin: Mr Speaker, on a point of order: I hate to interrupt the member, but his remarks are very important and I don't believe there is a quorum present to hear them.

The Acting Speaker: Please check if we have a quorum.

Clerk at the Table (Ms Lisa Freedman): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

1630

The Acting Speaker: The member for Scarborough-Agincourt.

Mr Phillips: I once again say that what we're dealing with here is another of what I can only describe as a bully tactic by the Harris government, and that is to cut off debate. This is the third straight day that we've been dealing with similar motions.

The property tax bill on Monday, where we wouldn't allow a single group or individual to come and present — and believe me, the groups that wanted to present are ones we should be listening to, ones that could improve the bill, but no, we wouldn't listen to them.

Then the Greater Toronto Services Board: The regional chair of Durham, whose regional council has views on this, said yesterday, "There is not a municipal government in the province that could ever get away with this." The public would storm the doors and say, "I'm not going to allow you to make these decisions without listening to the public." But no, Mike Harris thinks he can get away with it.

Today we're dealing with a third one. The public should realize that once this motion passes, in the language of the motion itself, there will be no further debate or amendments; there will be no deferral of the second vote permitted, so you have to call a second vote; then, it says here, "the order for third reading may then immediately be called," and there will be two hours' debate on third reading and then it's the law.

Surely we haven't come to this in Ontario, where people no longer have an input into the bill. I would say, just so the public is aware of the significance of the bill we're dealing with, among the components in Bill 81 is a bill that will establish a brand new tax, a brand new tax that never existed before, and it will raise \$1.5 billion. It is a tax designed to recover a lot of revenue that had been raised back to 1950 that the courts ruled was being collected illegally. So it is a \$1.5 billion tax; a brand new tax, never before; it's retroactive to 1950; and it incorporates rates on estates, taxes on estates, that Mike Harris, when he was in opposition, found unacceptable. When the Rae government brought them in in the form of

probate fees, Mike Harris thought it was unacceptable. Now we're dealing with a bill that will raise \$1.5 billion, that will put in law, in a tax, a level of taxation that Mike Harris found unacceptable.

The reason this is so important is that the public should be aware that \$5.5 billion of your property taxes now are set by Mike Harris. For the first time in the history of Ontario, property taxes are being set and collected on behalf of the province on Ontario. Never before — it has just started now. Over half of all the property taxes now are set by Mike Harris, property taxes raised on Mike Harris's instructions, and, I would add, we never get a chance to debate that here in the Legislature. It is set by something called regulation. It's set behind closed doors in the cabinet room — \$5.5 billion.

The reason that issue is so important is that the Supreme Court of Canada said it is illegal to raise fees or taxes by regulation. You have to set taxes in the Legislature. Yet we are now setting \$5.5 billion of taxation by regulation. In my opinion, the courts may very well rule that the province is acting illegally. If they follow the example under the probate fees, which is the issue we're dealing with here in Bill 81, a brand new Mike Harris estate tax of \$1.5 billion, the Supreme Court could very well rule that it is just as illegal to set taxation by regulation. Essentially, it's setting taxation without representation. It is setting taxation not through a Legislature or a duly elected body but by a cabinet, by fiat. But the debate has been cut off on that issue. When this motion is called and the government brings down the guillotine, the debate's over.

A second major part of this bill deals with ambulances. It is part of a downloading of costs off the province on to property taxes. One of the reasons our municipalities are having so much difficulty is because — this is a government document — the government has loaded about \$660 million of new costs on to the municipalities. One of the issues we're dealing with here is loading ambulance costs on to property taxes. Does that make sense? Let's look at what Dave Crombie and the Who Does What panel said.

Remember — and the public, I suspect, is aware of this — that about two years ago Mike Harris went out and hand-picked 14 people to form what he called the Who Does What panel. What he said was, "You tell me what things should be funded and managed by the province and what things should be funded and managed by the municipalities on property taxes." They went through a lot of work, spent a fair bit of money doing it, came up with their Who Does What recommendations and presented them to the government. Then, guess what? Mike Harris ignored it.

What did Dave Crombie and the Who Does What panel say about putting ambulance costs on to property taxes? They said, "If you do that, you undo much of the work accomplished by our disentanglement proposals, by moving health and welfare back to the property tax, putting ambulances on property tax." Here's what Crombie and the Who Does What panel said — remember, all of

these picked by Mike Harris personally to give him advice, give us advice, give the province advice: "The panel strongly opposes such a move. We're unanimous in the view that it's wrong." This bill puts ambulances on to property taxes. Crombie said it's wrong, the Who Does What panel unanimously, all 14 of them hand-picked by Harris, said it's wrong, but that's what this bill does.

I would add that at a time when we are trying to make our health care system, to use the jargon, seamless, so it's a completely integrated system, it doesn't make sense to be fragmenting it and putting ambulances on to the municipal government when we're trying to pull this whole thing together. But that's what this bill does.

This is part of the budget bill. I always find the government documents interesting. I use the numbers out of them so no one can accuse anybody of having our own numbers. This is straight out of the Mike Harris 1999 Economic Outlook presented just a few weeks ago. What it shows here, and the public may want to get a copy of this, is that since Mike Harris became Premier the debt of the province has gone up by \$22 billion. Remember, it took the first 125 years of the province to reach that debt. The average family now owes \$6,000 more in provincial debt than when Mike Harris became Premier. So Mike Harris became Premier and now the average family owes \$6,000 more.

Put in that way — and families understand this because they all pay mortgages, they pay loans, they pay their credit cards — now they realize, "Holy cow, you mean Mike Harris has run up \$6,000 more debt on my behalf?" Remember, when you pay the interest, each family each year is already paying probably about \$500 interest on that new debt. So I say to people, OK, you got the tax cut — for the average family it's about \$500 — but how was that funded? Mike Harris went out and borrowed the money. You now owe to the provincial government \$6,000 more per family, and you're paying about \$500 a year more in taxes to pay the interest on it. Of course if you're making a substantial amount of money, you're further ahead, because the tax cut more than made up for that. But for the average family, they're paying that increased interest cost just to cover the increase in the debt.

1640

These are the figures. You can look at them. The per capita debt has gone from \$8,181 to \$9,624 since Mike Harris became Premier. Per capita it's up \$1,500 and the average family is four, so every family in the province now owes \$6,000 more. I always say to my friends: "Mike gave you this tax cut, yes, but where did he get the money? You know he's taken the debt up \$22 billion. We've had to borrow every penny to fund that tax cut." So that is where the money came from for the tax cut. That's a part of this budget bill that I think is important.

In terms of the government's priorities of where it spends its money, the public now understands that when it comes to spending money on himself, Mike Harris has no problem. He has now spent \$50 million on advertising promoting himself. That's all taxpayer money, every penny of it, hard-earned taxpayer dollars, \$50 million

designed specifically and exclusively to get Mike Harris re-elected. And it goes on.

It seems that every week — in fact, I think it is every week — we see something new from Mike Harris about spending money on himself to get himself re-elected. I might add that the \$600,000 that was spent by his three cabinet colleagues and one of his parliamentary assistants to get rid of a messy sexual harassment case that could have been very embarrassing for the government — when he spent \$600,000 of taxpayer money, against the advice of the legal people who were hired to give the Legislature advice on it, I think people are now beginning to see that there's a rule for Mike when he's dealing with himself and there's a rule for Mike when he's dealing with people on social assistance or hospitals he's closing. He has no hesitation in cutting that and he has no hesitation in spending the money on himself. The money that's being spent on advertising is blatant, obvious and clear, and there's no end to it. I see no shame in him in what he's doing.

We are being cut off from debating this bill, the tax bill. The guillotine will come down. We now have probably less than three hours to debate it. This is the third time this week we have been dealing with a similar tactic.

To the public, when you begin to try and understand the Harris government, you now can see what he's all about: cut off debate, bully the opposition and bully the public to get something through. The people who have found that most recently are senior municipal officials and elected people who begged us to be able to come down here and let their views be known. They would say: "Listen, if after our views are known you still want to do it, then at least democracy has been served. We've had our input and you have had a duly constituted forum for us to participate."

Yesterday I found it really strange that, among others, the regional chair of Durham was down here because the issue was extremely important for his region, and no opportunity for input or debate. Here we are on a major bill, dealing with a \$1.5-billion, brand new tax on estates, dealing with land ambulances, dealing with setting up the community small business investment corporation — several extremely important matters, but no opportunity for any further debate. As a matter of fact, this bill will be dealt with and completed probably in another three hours.

So we see that.

We see that Mike Harris, when it comes to spending taxpayers' dollars on himself, has no shame — \$50 million and counting every week. That's \$1 million a week being spent shamelessly on the Mike Harris re-election campaign. We find they're quite prepared to spend \$600,000 to get rid of a messy situation that the best legal opinions say we shouldn't be doing, that we shouldn't be spending that taxpayer money.

I say to the public that as you watch this debate it may seem that it's an argument around rules, but it's really a fundamental debate around the way this government works and around the way they shut off debate and shut

off those who have a different view. It's wrong and it's an affront, in my opinion, to normal democratic procedures.

Mr Tony Silipo (Dovercourt): I rise to join in this debate on the time allocation motion on Bill 81, and wish to inform you that I'll be sharing my time with the members for Ottawa West, Sudbury East and Beaches-Woodbine.

I want to say at the outset that this is becoming more and more the norm with the Harris government, that we see ourselves in the situation where we have time allocation motions to limit discussion of bills in this House. Over the last couple of weeks we have seen this practice be used more and more. I expect that in the remaining week and a half that we have in the sittings of this House — or less than that; from now till next Thursday — we will probably see a couple more of these motions come in, because the government finds itself in the situation where, on the last list we looked at, it has 17, perhaps 20 bills that they still claim they want to push through and get through before the Christmas recess. Every time we ask them, "Which ones do you want to pass, what are your priorities?" we just get the whole list. The reality is that you can't pass all those bills in the time that's left.

I don't know whether what we're seeing at this stage of the game is more a question of incompetence or is just the continuing arrogance of the government, perhaps it's both, in their thinking that they can simply continue to steamroll, regardless of what the rules of this place say, and get every bit done as quickly as possible and blame everybody else when we can't get those things done.

We had an example here last night in the discussion that took place on a very important piece of legislation with respect to the social work act. It is a very important piece of legislation that we in the New Democratic Party support, but again there is an assumption on the government's part that this is just something that can be done in a couple of hours without any serious discussion or debate, without any ability to examine in committee the implications of some of the provisions in the bill.

It's an affront to the parliamentary process and the way in which decisions have to be made and should be made that this government continues to behave in this way, particularly when you look at the history of their behaviour and the consequences of their acting in this kind of haphazard way. We have seen bill after bill that has gone through in this manner and then had to be corrected in subsequent legislation or in subsequent actions of the government.

We were dealing, for example, on Monday of this week in committee with the property tax bill, the last in a series of bills that this government has put forward to try to rectify the whole property tax mess that they unleashed upon —

Ms Lankin: On a point of order, Speaker: I hate to interrupt, but once again there's no quorum.

The Speaker (Hon Chris Stockwell): Quorum call.

Clerk at the Table: A quorum is not present, Speaker.

The Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Speaker: Member for Dovercourt.

Interjection: Saved the government again.

1650

Mr Silipo: With a minute and 40 seconds left on the clock, I'd say that probably would be true.

I was commenting on how we have come to see this approach, this tactic, if you will, of time allocation and this haphazard way of managing the public agenda used all too often by the Harris government.

The latest example is this one, but the example I was referring to was on Monday, when we were dealing with the latest version of the property tax bill, I think bill number seven or bill number eight, depending on whether you count one of the others; in any event, the last of a series of bills by the Harris government trying to rectify the property tax fiasco they unleashed upon this province, a fiasco which resulted in many small businesses reaching the verge of going out of business before the government was brought to the point of acknowledging that it was their new assessment scheme, their changes to the property tax system, that was going to put many small businesses in danger of closing. As a result of that, they finally acceded to some changes that needed to be made to try to patch up the situation.

What we have now, in the last of a series of changes, is a hodgepodge of choices that are being put on to the municipal level of government. At this very late point in the year, they will have to deal with whether they want to implement those changes and provide the 10%, 5% and 5% caps in the 1998 year by making decisions in the remaining days of 1998, or attach them to the 1999 interim tax bill, all of which is causing a lot of consternation out there, a lot of confusion and a lot of hard feelings, and understandably so. You now have the added situation where those people who thought that under the new scheme they were actually getting some decrease are now going to find part of that, or in some cases a lot of that, being taken back.

All of this to say that this is another classic example of how the government in their rush to do things make some very serious mistakes, mistakes that are not just the kind of normal legislative oversights, but mistakes that lead to some pretty severe consequences out there, this from the government that is supposed to know how to manage the public agenda, from the government that wants to portray itself as being competent, as knowing how to handle taxpayers' monies and the legislative agenda.

They have demonstrated time after time after time that they fail on both of those scores, certainly in the way in which they handle the legislative agenda around here. As I say, I don't know whether I should be more critical of them because of their continuing arrogance or just their sheer incompetence in how they deal with this issue. But we see, with less than a week and a half left in the sittings, the government continuing to say, "Here are all these bills we want to get through. We have to get them through,"

many of them bills that have only been recently introduced.

One can ask and one should ask and we do ask the question, where were all these bills early on in the session if they were so important? This time allocation deals with Bill 81. It's a budget bill that has in it a number of measures that come out of the budget. The budget was presented last spring. There is no excuse for the government to have delayed up until the last couple of weeks of the legislative sitting the introduction of this piece of legislation and now to purport that this has to be done in this way, when earlier in the session they were pushing forward other legislation that then, lo and behold, we have yet to see the sight of.

At the beginning of the session, whatever happened to that other piece of legislation? The Greater Toronto Services Board was a big piece of legislation, it was an important piece of legislation, the government said. Then for two months we heard nothing about it. Then the last two weeks of the sittings, all of a sudden the fire gets set under the feet of the Minister of Municipal Affairs and that bill is a priority once again. Then we have to rush it through committee so, just like the property tax bill, it gets out to committee with no hearings whatsoever, no opportunity by anyone to come forward and give us their advice on the legislation. That piece was rammed through in a day of committee clause-by-clause, as was the property tax bill.

I have no doubt that on the property tax file, perhaps on the Greater Toronto Services Board, who knows how many other pieces of legislation, those kinds of mistakes are going to continue to come back to haunt the government. Those kinds of mistakes are going to continue to be reflected, and we will see them as the legislation unfolds and is implemented, because that is one of the consequences when the government continues to act in this fashion of believing that they know everything, they know best above all others and beyond any advice that anybody else can give them. Forget the opposition. I'm talking about the people who are out there — municipal politicians, municipal bureaucrats, who have to implement a lot of this legislation — the people who have to live with the consequences of these things. They are out there saying to the government, "This is not the way to do things."

We look particularly and specifically at this piece of legislation. One of the parts of it is dealing directly with the issue of the changes to the Teachers' Pension Act that are supposed to reflect an agreement reached between the government and the Ontario Teachers' Federation.

There is a partnership arrangement that I was happy to see we were part of establishing when we were the government in terms of the administration and the overseeing of the teachers' pension plan. Recently there were some changes made to that that were agreed upon by the two partners, the teachers' representatives and the government representatives, on how to deal with the unfunded liability, to take some of the surplus and use some of it to pay towards the unfunded liability and some to pay for early retirement incentives for teachers who wanted to

leave the teaching service earlier than they might otherwise have been able to do with their pensions. This part of the bill purports to reflect those changes to the agreement inside the legislation.

1700

But what do we find instead? We find that the Ontario Teachers' Federation, one of the partners in this agreement, was only briefly consulted prior to the introduction of this legislation. They were only given a short period of time to look at the paper which had the changes on it, were not able to take that away with them, so they were not able to give any more than a surface reaction to the legislation. Their first opportunity to actually take a look at the legislation was after this bill received first reading on November 23. Here we are, a couple of weeks later, and their advice to us and their request to us is, "Please do not proceed with this part of the bill." Yet if the government persists, as they will, I suspect, with this time allocation motion, that request by the Ontario Teachers' Federation will go unheeded.

Who knows what will happen down the line? Perhaps the government will have to come to the realization in this bill and in this part of the bill, as they have on other bills, that by not listening to that advice and not taking that request seriously, they will actually have put into this legislation, as the Ontario Teachers' Federation fears, some changes that do not reflect properly the agreement that was reached and in some cases go beyond the provisions of that agreement. Here the Ontario Teachers' Federation is asking that this part of the bill —

Mr Toni Skarica (Wentworth North): On a point of order, Mr Speaker: I ask for unanimous consent that tomorrow in question period the Liberals don't get any questions.

The Speaker: Unanimous consent that tomorrow during question period the Liberals don't get any questions. Agreed? No? OK.

Mr Silipo: I know there are rules in this place that deal with commenting on the presence of members in this place. That was a nice try around that, I think. But I want it on the record that I did not agree to that request.

The Speaker: I didn't hear you, actually, member for Dovercourt. I heard the member for Beaches-Woodbine.

Ms Lankin: On a point of order, Mr Speaker: I hope that every time someone says no in this House to a unanimous request that you will take it upon yourself to point out which member said no. It's an important contribution to the record.

The Speaker: I will do so every time someone tries to take credit for saying no when they didn't.

Mr Silipo: Here we have an example in this legislation of a major change that is being made that will affect the Teachers' Pension Act. That group of people, as one of the partners in this agreement, is saying, "Do not proceed with this; sever these parts from the bill," and the government is simply not listening. They also make the point that, by severing these pieces from the legislation, you would not be delaying the implementation of the agreement, because there isn't the timeliness in having to put

those changes into legislation; it could be done at a later point.

Yet the government on this, as on many other requests from all sorts of groups and individuals across this province, is simply refusing to take that advice, simply refusing to heed those kinds of requests that are coming from group after group saying: "Do not make these kinds of changes in this kind of a rushed way. It will not lead to good legislation, it is not the way to make good public policy decisions, and we will probably all have to deal with the consequences of those through further legislation."

I could go on for some time but I just want to make a couple of other comments. When we look at the legislation in front of us, we continue to see, as I mentioned, examples of how the government deals with this. Today we saw introduced another bill on which I suspect, if the government is going to be intent on proceeding with it in the next six legislative days, they are going to probably have to resort to this type of motion they are using here today. That was An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 1999. This is the supplementary estimates bill.

The reason I refer to that is because I was interested to see that bill presented today and to note within it that among the ministries listed is one which is not a ministry, that is, the Office of the Assembly, and that the supplementary estimates that are being requested there of just under \$104,000 will be part, I'm sure, of that discussion. I will be interested to see what will happen as we go through this discussion and as we deal with that issue in the context of the discussion that we were trying to have through question period today around how this government believes public funds should be spent.

The Al McLean situation will not go away, I want to say to the government. It is a very bad decision for the government representatives on the Board of Internal Economy to have made. It is a decision that I have no doubt was driven by the Premier and the Premier's office in terms of direction being given. I could not fathom something as significant as that not having been given that kind of direction, despite what the Premier might choose to say in this House or outside this House. I believe very seriously that the government will find that they have made not just a bad public policy decision but a very bad political judgment in making that decision. In persisting to the extent they continue to persist in trying to defend that decision, they will also discover it is something that will come back to haunt them.

The public of Ontario will not accept the expenditure of public funds to settle that kind of issue, particularly from a government that tries to paint itself as the defender of the public purse and as the party that knows how to spend public monies. In this case, they are showing not only their incompetence in bringing forward this piece of legislation but the continuing arrogance that seems to be more and more the norm with this government.

I suspect the reason at the front of the list as to why the government wants to rush all of this legislation through has more to do with the fact that when we break at the end of next week, we may not likely be called back as a Legislative Assembly, except perhaps for a very brief time for the reading of the next budget and perhaps a new throne speech — who knows? — and then we will all be going to the polls; and I want to say to the government members, not a moment too soon.

Mr Marcel Beaubien (Lambton): Are you betting on this, Tony?

Mr Silipo: Yes, I would put a small wager on that in the realms of the possible and the legal. I would be happy to do that. A good espresso or a good cappuccino would be about the limit that I would go, but I would say to any honourable member who wishes that in fact that's my belief. I don't think the government is intent on proceeding to have this Legislature come back in any serious way to do any more serious work, so they are scrambling now at the last moment trying to figure out what are the things they really want to get done and what are the things they can just forget about.

When they talk to people out there and when groups out there are concerned about what is going to be happening, then I want to say to the government members, and I want to say to those groups out there particularly, that they need to keep that in mind. The government is the group and the body that decides, and at the end of the day has the ultimate authority, even at this late stage in the game, as to what bills they want to get passed. It is not up to us in the opposition to determine which bills will get passed and which bills will not get passed. It is the duty and lies within the power of the government to do that, and I suspect they will continue to use this kind of closure motion where they actually believe they want to get some things done.

That's not to say that there may not be some bills on which we can agree between now and the end of the session, that we do want to get passed and can get passed, but our basic premise is that on important pieces of legislation we need to ensure that there is adequate debate not just by the legislators but indeed by the public, where that is warranted. We have seen far too many examples where the government has refused to do that, and we have all seen the consequences of their refusal, the consequences being bad legislation, bad policy decisions, which have had to then come back and be corrected in subsequent legislation.

We continue to take our role as one of the opposition parties quite seriously in this and we say to the government that we will continue to do that. We will continue to oppose these types of tactics, and these types of motions particularly, because we think they are unnecessary, unwarranted and are an infringement upon the whole democratic process and debate we should have in this place.

1710

Mr Cullen: I'm pleased to follow on the remarks of the member for Dovercourt with respect to the motion we

have before us today. We did hear an awful lot from the government side during their hour — not their whole hour, because they didn't use their time — extolling the virtues of Bill 81, which is a bill to implement provisions that were announced in the 1998 budget last May.

When we have measures introduced in a budget seven months ago and then we find ourselves dealing with a bill that was just tabled in this House little more than two weeks ago, and then find that the government has to come in with a time allocation motion that basically shortens the ability to debate the bill, which contains a large number of important provisions — and we heard the member for Dovercourt talk about some of the parties that would like to come before a committee to explain their concerns about different aspects of the bill, and how they are being denied this — then you have to wonder just how serious the government is in terms of consulting with affected groups when it deals with its budget provisions.

We're dealing with a government that has now exceeded previous governments in terms of the use of time allocation. This is a process by which debate is shortened. The time spent at committee is either shortened or eliminated entirely. The motion before us today would not have this important bill going to committee whatsoever and it would come to this House with only two hours of debate at third reading.

The point is that we have developed, over centuries of precedent, a legislative process that allows for due consideration of any piece of legislation. It's there for the protection not only of the government and of the process but of the taxpayer, because we're all human and mistakes are made. Indeed, we see in terms of the property tax bills that have been introduced by this government that time and time again — we're now on our seventh bill — important initiatives such as property tax reform have to be changed, have to be amended, have to be fixed, deadlines have to be extended. That chews up time in this Legislature.

Had these bills been allowed to go to committee for full consideration, so that the parties who are most affected, particularly those who have to implement the legislation, could come forward and allow the government to perfect their bill so they could do a better job on behalf of the taxpayer, then we would find ourselves with (1) fewer pieces of amending legislation than we found on the property tax side, and (2) better use of our time here in this House. Instead, today we find ourselves with about six days of debate time left — actually 12 sessional days but six calendar days — to deal with the government's legislative agenda, seeing that we're going to rise on December 17, yet we find ourselves without the proper process to deal with these important bills. It's wrong. It's simply wrong. It leads to bad government, and the proof is there with the record of the government, not only in terms of property tax but other bills as well.

The member for Dovercourt did touch on the desire of the teachers to deal with a particular aspect of the bill, which is part XI. These are amendments that are coming forward to the Teachers' Pension Act. As the member for

Dovercourt said, the teachers have asked to be severed so they can go to committee and give their concerns about the wording and the implications of the act and the amendments to their own pension plan. This has been denied to them. It's very unfortunate because, dollars to donuts, we will find ourselves trying to catch up downstream and correct the errors that have been made. Why should we pass a piece of legislation that downstream is going to force another amending piece of legislation to come forward and take up time as well? This is not good government.

The member for Dovercourt did an excellent job explaining the concerns that are being raised, legitimate concerns that should be addressed through the regular legislative process that is now being denied by virtue of the motion that's before us today.

We have the motion before us today. We go through this process for a good reason. The government comes in with a motion to allocate time, to shut down debate, to determine what happens at committee, if indeed it goes to committee, and to determine what happens at third reading. We have this motion so that the government can justify why it's going outside the normal legislative process. So they table a motion and we have it before us today. What do we hear from the government side? They use the time as an advertisement for their initiatives but they don't justify why all of a sudden now it's a must bill, why now they must shorten the process.

We're left here on the opposition side reminding the government that it was their budget that they tabled back in May, seven months ago, and it's their government that chose to wait until November 23 to table this bill that they're calling for time allocation on. This bill contains some 12 particular amendments dealing with the Ambulance Act, the Community Small Business Investment Funds Act, the Corporations Tax Act, the Employer Health Tax Act, the Estate Administration Tax Act, the Income Tax Act, the Land Transfer Tax Act, the Ontario Lottery Corporation Act, the Pension Benefits Act, the Retail Sales Tax Act, the Teachers' Pension Act and the Tobacco Tax Act.

A budget that comes forward in May which details initiatives the government's going to go forward with, you'd think they would have done some of their homework on this. They wait seven months, they bring it in November 23, and then they say, "We want it done as fast as possible; no committee, no hearings whatsoever."

I alluded to the member for Dovercourt's comments with respect to teachers, but I'll just go to the first part of the bill. The first part of the bill deals with the Ambulance Act. This is part of downloading on to municipalities, on to the local property taxpayer, the responsibility for providing land ambulance services. So what does this bill try to do? This bill allows the minister to say, "It may go to the county, it may go to the regional government and the taxpayers, or it may go elsewhere; a private delivery agent may be designated for the purpose of delivering this service."

Wait a sec. Here the property taxpayers are going to be paying the bill. You would think, therefore, that the regions and the counties that represent those property taxpayers would want to come forward and be able to say something about this power that's being given to the minister to say, "You, property taxpayer," whether it's the regional municipality of Ottawa-Carleton or any of the other counties or what have you, "pay the bill but you will not have the ability to hold your local government accountable for what's their responsibility to fund."

Does this make sense? We know already the regions and counties are saying, "If you're going to give us the ambulances, please give us the dispatch system to allocate where these ambulances should go."

In Ottawa-Carleton we have 911 and we would like to have, if we're going to have the responsibility for delivering the service, the ability to provide dispatch, because we have a 911 service that does fire, that does police. We should therefore have that responsibility to dispatch ambulances. But oh no, they won't do that.

Why, therefore, is the government hanging on to dispatch? It's not doing a good job in Ottawa-Carleton. The Minister of Health is in her place and she knows that the regional municipality of Ottawa-Carleton has done an audit under the auspices of the Ministry of Health of the delivery of this ambulance service and she knows that they're failing to meet the requirements of the legislation. The legislation says that ambulances by law should be able to provide service 90% of the time within nine minutes in the urban area and she knows that in Ottawa-Carleton they fail that by four and a half minutes. It's 13½ minutes. This is absolutely objectionable. This is wrong.

Here's an opportunity for the taxpayers in Ottawa-Carleton to make sure that the standard is being met through the regional municipality, but oh no, the Ministry of Health, for some reason, is not willing to give over dispatch to provide for an integrated system within Ottawa-Carleton. We are on the leading edge in terms of providing paramedic services. You would think this would be a natural fit. There would certainly be more efficiency in government and more efficiency and accountability to the local taxpayer, who, at the end of the day, is still paying for the full shot, even though the minister is saying: "We'll look after dispatch. We're not doing a great job, we have to acknowledge that, but you're going to pay for it." It doesn't make sense.

You would think that this bill would go to committee and therefore the government and the representatives of Ottawa-Carleton would be able to come forward and they would be able to make their pitch and say, "Look, here's a cheaper, better, faster way of doing it." Isn't this the whole purpose of downloading: cheaper, faster, more efficient, better? Lord knows it's not revenue-neutral. That's the whole point, we would have thought. But oh no, this government is not allowing for the natural democratic process to go through so that this bill could be perfected and do a better job.

1720

What I can ask, therefore, is why are we finding ourselves in this box? Why is the government finding itself in this box that it has a budget back in May where the Minister of Finance, on behalf of his colleague the Ministry of Health, announces that there are going to be these changes, and yet seven months later we don't have the ability to go through the democratic process, through proper consultation to allow those representatives from the regional governments or county governments to come forward and say, "Minister, this is a better way of doing it"?

Why weren't we at committee in September? Why weren't we at committee in October? What was the problem with the government on this? This is, what, the 26th time allocation motion?

The member for Dovercourt hit the nail right on the head when he talked about the remaining legislative agenda for this government. We have about 25, 26, soon to be 30 government bills, plus 50 private members' bills which members oppose as well as members on this side want to see go through, and yet we're being told we're going to rise on December 17 and the House calendar will not bring us back until March 22.

It is mind-boggling that we have so much responsibility, so many pieces of legislation that have to go through, and this bill is only one of many. We have Bill 61, which has been time allocated as well, which deals with the extension of the property tax deadlines for appeals of property taxes as a result of reassessments of properties. It hasn't passed yet. After all, the current legislation says that if you haven't appealed by September 30 for this tax year, you're toast, but Bill 61 has yet to be passed.

Then we have Bill 79, which extends that yet again and tries to fix up the property tax mess yet again. That's being time allocated and has to go through. Indeed there's even a provision in that bill that says look, if we don't get it done in 1998 — because we're at December 9. In approximately 22 days the property tax year ends and where are we at? Bill 79 will say if you don't get it fixed by this year, you can carry it over into the next property tax year. That's just a lovely gift to give to municipalities and their taxpayers in terms of trying to deal with this horrendous property tax mess that the government has brought in. But the government is simply not committed to following due process in dealing with these important bills that affect the lives of ordinary Ontarians.

Speaking about the lives of ordinary Ontarians, in the time that I have allotted to me I have to remark upon part VI of the bill which the government proudly crows as being one of their shining jewels. That deals with the amendments to the Income Tax Act, their vaunted income tax cuts.

As we heard earlier, the famous Harris income tax scheme where we've seen cuts or reductions to income taxes benefiting — 25% of the benefit of this goes to the top 6% of the population. That is those individuals earning \$80,000 or more. These are taxable incomes of \$80,000

or more. This is not the average Ontarian whatsoever. We know that the cost of this to the treasury of Ontario is \$22 billion over the term of this government to date. We're not talking about going on to June 2000, which is the end of the mandate of this government, but we're talking about to date, three and a half years, it has cost the treasury of Ontario \$22 billion. If we hadn't had this income tax reduction scheme, then we would be in a balanced budget position today and not finding ourselves in a situation where we're closing hospitals and closing schools in our communities. Face it.

In my community, we are seeing the prospect of the closure of the Grace hospital. The Grace hospital, a Salvation Army institution, the most effective and efficient institution in Ottawa-Carleton. The fellow who runs it, who is a major in the Salvation Army, earns only \$40,000. Compare that to any of your other hospitals and your six-figure hospital executives. But they're going to close the Salvation Army hospital, they're going to close the Riverside Hospital. They're taking the Ottawa Civic, which has a world-class reputation for heart and tertiary care, and are going to downsize that and transfer some of those services over to the Ottawa General. They're downsizing the Elisabeth Bruyère and downsizing the only teaching French-language hospital in Ontario, the Montfort.

At the same time, we're seeing six francophone schools on the hit list to be closed in Ottawa-Carleton. We're seeing another 18 schools on the list for the separate school board, and another 20 schools, coming down in two parts, on the hit list in Ottawa-Carleton for the public board, and none of these schools is being closed for the reasons of program. These are schools built by the taxpayers, serving taxpayers' needs. If they don't have all their classrooms filled with students taking classes, the remaining space is being used either for adult education or for child care or for community uses. The local taxpayer is getting benefit of that facility. There is no program reason to close these schools.

What's happening in Ottawa-Carleton is that communities are going up in flames with the notion that these schools may be closed and may be transferred to the Ontario Realty Corp, a crown corporation run by this government — actually, contracted out by this government, by the way, to the private sector — who will then flip it for development and that community resource will be lost. We're not just talking about the gym or the meeting rooms or the classrooms; we're talking about that playground as well being lost to the community forever because once it's developed it's gone.

This is a major problem in my community, yet we find ourselves in this situation because the government in this bill, on which it is now forcing a time allocation motion, is insisting on pursuing yet another tax cut which keeps us in deficit. Therefore, to bring us into a balanced situation, the government must seek to withdraw more funds from health care, more funds from education, more funds from community services. As a matter of fact, as the member for London Centre has said on earlier occasions, we find

ourselves with a government that insists on spending over \$50 million now, I believe, on self-promotion, more money than what it funds for women's shelters in Ontario, and that is a shame.

I have in my community women who have left abusive homes, who are in shelters trying to get into a housing situation they can afford so they can go out and get a job and look after their children, their children's health, their children's future, yet they can't get that kind of housing, because the waiting list for socially assisted housing in my community is five years: 14,000 people are waiting for affordable housing in Ottawa-Carleton so they can get ahead with their lives.

What does that mean when they can't? Obviously, they are paying far more than they can afford and are living in substandard arrangements with their children. What happens in terms of the living conditions of their children? They can't afford to properly look after their children's health. They can't afford to look after their own future, and they're finding themselves in substandard situations where their children are trying to learn, trying to live, trying to grow and it's going to cost us all.

We know that a dollar invested in early childhood intervention saves the taxpayers \$5 downstream: \$5 in re-education, in retraining, in housing, in assistance and in crime. This is all documented. In fact, the Minister of Community and Social Services, when she's out of this House, even speaks to that. It's wrong, simply wrong.

We find ourselves dealing with a bill that contains a number of attributes that are important and deserve discussion. This bill deserves perfection, but because of the incompetence of this government, they bring it in less than a month before the end of the sitting of this House for this session. We are going to rise on December 17, so it forces this bill to go through without proper hearings, despite the fact that we know that municipalities and the property taxpayers would like to address some aspects, despite the fact that teachers would like to address some aspects. We on this side of the House know that these income tax provisions are wrong, simply wrong, and we have a plan to deal with that so it meets the community needs in terms of health care, in terms of education.

At this juncture, I'm going to cede my time to other members of our caucus who wish to address this important issue.

1730

The Speaker: Further debate?

Ms Shelley Martel (Sudbury East): I would like to begin this debate, actually, by asking you if we have a quorum in the House.

The Speaker: Is there a quorum in the House?

Clerk Assistant: A quorum is not present, Speaker.

The Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Speaker: Member for Sudbury East.

Ms Martel: In beginning this debate, I want to go back to a note I made on Monday when we were in this Legislature, at that point dealing on the closure motion for Bill 79. If it's Monday, then it must be government

closure motion day, because Monday past was the third Monday in a row when this Legislature has been sitting that we have been dealing with yet another government attempt to shut down debate, to stifle any comment made by the opposition on government bills, to in effect shut down our ability to be here and to advocate on behalf of our constituents.

Now it's Wednesday, and I was in the House last Wednesday. I think that if I check the record again I will find that last Wednesday we had a closure motion as well, and here we are again this Wednesday dealing with a closure motion. So I guess the routine that is becoming quite commonplace around here is that if it's Monday or Wednesday, those two days of the week, any week the House is sitting, you can expect that the government is going to be using its jackboot tactics to yet again drive through another closure motion. By the time we're finished, it will probably be Monday night and Wednesday night too, if the government could have its way, any week that the Legislature is in session.

The point of all of this is that the government finds itself in a position yet again that it cannot competently order its business and has no choice but to use a tactic to shut down any further debate to try and get its legislation through. We are now in the position, under the Harris government, of this government now having moved more closure motions than any other government.

Hon Mr Turnbull: Shelley, how many times did you use time allocation?

Ms Martel: I know that is a record that the chief government whip will be proud of. His government has now moved more time allocation motions, more closure motions, more motions to shut down legitimate debate than any other government. I'm sure that is a record he is proud of.

What it speaks to, and perhaps the chief government whip won't be so proud of this, is a government that cannot, despite its huge majority, order its business, get its business done, get its business through this Legislature. This is a government that, because it has had to use so many time allocation motions, makes it very clear to the public that it just can't get its work done. This is the same government that has also moved rules in this place which severely curtail the ability of members in this House to even participate in debate in the first case.

You will know, Mr Speaker, because you were one who would speak in opposition about rule changes, that it was this government that moved to a rule change which allows for one hour of debate from the leadoff speaker on any particular piece of legislation and then, in the second rotation, moves to 20 minutes, and then after four or five hours of debate moves down to 10.

The government has tried, in using a mechanism to limit the participation of individual members, to limit overall debate. Even so, despite having moved that, despite having very openly moved to cut down the ability, the time that members have to speak in this place, the government still can't get its business done. The government still finds itself in the position of now having the

record of being the government in this province that has moved the most closure motions. Isn't that a record to be proud of?

Being here again today, on a Wednesday, with another time allocation or closure motion, speaks to the problem the government has not only in ordering its business but in ensuring that the business it puts forward to this House is business and pieces of legislation where thorough work has been done and where they're not going to get caught having to introduce another bill and another bill and another bill, all to fix the mistakes of the ones that came before.

This government has had a very serious problem trying to put together pieces of legislation, because they're always in such a hurry because they're downloading something to someone or trying to take away someone else's rights. This government has faced a very serious problem in cobbling together legislation that proves again and again, because we've seen it happen in this House, that they've got to go back and introduce another piece of legislation to fix the first one because they made such a mess because they were in a hurry and they didn't want to listen to anyone.

On Monday, we dealt with a closure motion for Bill 79. You know that Bill 79 is the seventh in a line of bills to allegedly amend the property tax system in Ontario. Beginning in January 1997, the government started, in a big hurry, to try to move down the road to allegedly reform the property tax system in the province.

From the beginning, from the first bill, this government was told, not only by opposition party members but by the Association of Municipal Clerks and Treasurers of Ontario, by municipal leaders, be they reeves or mayors or regional chairs, this government was told by any number of people that the way they were proceeding with respect to trying to allegedly reform the property tax system was not going to work, that the legislation was terribly complicated, that in practice it would not work. This came, when you think about the Association of Municipal Clerks and Treasurers of Ontario, particularly from people who deal with this kind of thing every day, who surely have more expertise than almost any of us who sit in this place, because it's part of what they do every day, day in, day out, on behalf of their municipality.

From the beginning of the government's process of trying to allegedly reform the property tax system, they have been very public in saying, "This will not work, but if the government would give us some time, we would sit and try to work with the government and try to put together pieces of legislation that perhaps would allow the government to reach its stated goals, its intended goals." But has the government ever chosen to listen to anyone who had a different point of view than the Harris government? Of course the answer is no.

So, there we were on Monday, dealing with a government motion to close down debate for Bill 79, the seventh in a series of bills to fix the first bill to reform the property tax system, which was such a mess. What was interesting to note during the course of the debate on Bill 79 and

indeed during the course of the debate on the time allocation motion was that the Association of Municipal Clerks and Treasurers of Ontario have come yet again to Queen's Park and have said very clearly to anyone who wanted to listen, "We have a piece of legislation here, even though it's the seventh piece, which again will not work." They said very clearly that this Bill 79 was in fact the most complicated, the most convoluted and the worst that the government has put together in the long series of bills to try to fix the mess of the bill before.

The government again didn't want to listen to them, yet one more time. Those poor folks keep coming here, they try to tell this government, and this government just refuses to listen. The government's response, instead of trying to work with those people, instead of trying to work with the Association of Municipalities of Ontario, is to decide yet again that it will use its majority to ram through the closure motion, and of course any debate on third reading is time-allocated, the vote is set and that's the beginning and the end.

I have no doubt that before we're finished, the flaws in Bill 79 are going to be perfectly clear to everyone, and this government is going to be scrambling one more time, as it has been since we started this mess in January 1997, to try and fix the mess that's going to come out of Bill 79.

We are dealing here today with a time allocation motion on a bill which again represents the government's inability to get its business through the House and which also represents yet again a government attempt to cobble a bunch of pieces of legislation together or to cobble a number of policy changes together and try and ram that through the door and hope that some good policy-making might come out of it.

1740

Bill 81 is an omnibus budget bill. The items contained within it all flow from the budget that was announced in this House in May, and here we were in this House about November 22 or 23 and the government finally decided that it's oh, so important to now get these bills underway, and some six months after the items have been announced in the budget, the government finally decides to bring through the piece of legislation that will give effect to those items that were noted in the budget.

The government for almost six and a half months has been in no hurry whatsoever to deal with these items. It's clear that any number of other items were more important than this one, but suddenly on November 23 this bill arrived in this House, and here we are some two weeks later with the government using its majority to shut down the debate and say, "We have to get this through and we have to get this done." Clearly, if they were going to do this right, the government would have introduced legislation relating to those items in the budget just after the budget was announced. The government wouldn't wait until six and a half months later if these items were oh, so important to Ontarians, but here we are six and a half months later, the bill is introduced and all of a sudden we're in a big panic, there's a big hurry, there's a big rush

and we've got to drive this bill through like so many other bills that this government is trying to drive through.

Now all of a sudden it's oh, so terribly important; it's a priority. Not only are we shutting down the debate on second reading through this time allocation motion, but if you take a look at the motion, you will see clearly that there will only be two hours allocated to third reading debate of the bill, and after those two hours the Speaker will interrupt the proceedings, will put any question that's necessary and that will be the end of that bill without any further debate. Then the vote on third reading will be deferred until the next sessional day but we know it will happen right after that.

We now have a situation where a bill that did not see the light of day in this place for over six and a half months suddenly appears. It's introduced, appears on the Orders and Notices paper, there is some debate that takes place at second reading, but it is quickly shut down by this government under the pretence that it needs to be passed now, that we need some of these items before the end of the session, before December 31. It's all so terribly important when it hasn't been for the last six and a half months. "We have to use our majority one more time to shut down debate in this place," to shut down the legitimate ability of members, particularly from the opposition, to speak on behalf of their constituents, to raise concerns with the government and to allow for the concerns of the people we represent to be expressed here.

If you look at the bill again, there are some 13 parts to it, including a schedule, running some 118 pages altogether. There are a number of changes. The ones that are most interesting to me are the changes around child care, because the changes we now see in this bill with respect to child care amount to the third try of this government to put together a \$200-million child care program. The first plan was announced in the 1996 budget and nothing happened. In 1997 it was scrapped and the money was put into a tax credit; that program is dead. Now Ontario, instead, is going to make direct payments into those households for each child under seven. So now we have in this bill, which again is an omnibus bill, a bunch of things cobbled together in what is the third attempt of this government to allegedly do something around child care.

I know my colleague from Beaches-Woodbine wants to participate in this debate, so as I wrap up I would say yet again, if it's Monday in this House it must be a time allocation day, if it's Wednesday in this House it must be a time allocation day, and what is very clear is that the government cannot manage its business despite its big majority. That's reflected in the number of time allocation motions that have now been moved by the Harris government, a record number of any government in the province of Ontario.

What is also clear, particularly by the bill that we are dealing with here, is that it's yet another sign of the incompetence of this government because we are dealing with a bill that has cobbled together a bunch of pieces of legislation in a big hurry, in a big rush, and I have no

doubt that we will see the fallout from this flawed piece of legislation in very short order and it will require any number of policy changes or other bills to try to fix the mess that we have here before us today with Bill 81.

Ms Lankin: I just want to indicate that the member for Sudbury East knows of what she speaks. She was a government House leader at one point in time in this Legislative Assembly and was responsible for shepherding through the legislative business of the government and knows the amount of —

Mr John Gerretsen (Kingston and The Islands): Shepherding through at Christmas.

Ms Lankin: That was not a Christmas reference, “shepherding through.” She knows the amount of planning that it takes for good, competent management of House business.

This is a theme with the government. When they don’t get things done because of the gross incompetence in the way in which they’ve handled it, they then turn around and blame everyone else. I think that’s what I find most objectionable. I want to give you an example in spades, Mr Speaker, that happened in this Legislature last night.

There was a bill being debated, and the public who might have been watching will know that this bill would have set up a professional, self-regulating college for social workers in the province of Ontario. You’ll know that there are colleges for other professions. The health professions is a really good example for doctors and nurses and physiotherapists and others. Social workers for a long time, over 15 years, have been trying to have established in Ontario a professional self-regulation system, including a college. That bill would have created that.

It’s interesting that all three parties in this Legislature have expressed general support in principle at second reading for this bill. There are many groups that have raised some issues of concern and there are some amendments that people would like to see put forward, and they would like to have an opportunity to address legislators and bring forward those concerns. But that’s part of the process, isn’t it? Isn’t that what passing legislation is about? You have a proposal for a bill, you have all of the consultation that’s gone into the creation of that and then when you have the actual legislative language in front of you, there’s an opportunity for people to have input. We’ve received letters raising some issues and people saying, “We’d like to have an opportunity to take these issues to public hearings.”

We said to the government, “We support this bill and we would like to see some hearings on this so that the issues that have been raised can be dealt with in that forum.” What does the government do? Last night in a pique, in a fit of temper because the government House leader had a bad day yesterday — he’s one of those cabinet ministers who was behind closed doors in the Board of Internal Economy and voted for the \$600,000 to pay off the Al McLean legal fees and to sweep this thing under the rug. He had a bad day. We can understand he

had a bad day, but how did he take out his little fit of temper?

With all of the social workers here last night, somehow he had it communicated to him that it would pass last night. He never told anyone else in the House that he expected that to happen. Because members of the Legislature had the temerity to want to debate the bill, to want to say some things about the bill, he sort of adjourned the debate and said, “I’m sorry, I’m picking up my marbles, I’m picking up my bat, I’m picking my ball and all of the various toys and I’m going home. No more debate on this bill,” and goes to all the social workers and says: “You know what? It’s that third party over there that stopped your bill. They’re the problem.”

Not “I didn’t plan this right.” Not “I didn’t secure the commitment or understanding.” Not “When I was told there was all-party support if there were a few days of hearings, I didn’t plan to put those hearings in place in time so we could finish the bill by the end of next week.” None of that. Did he take one ounce of responsibility, when he’s the man responsible for shepherding this through? No, and instead has essentially told a group of people I think very incorrect information about the legislative process.

But let me repeat to the government House leader: Our party generally supports this bill. We think there are some issues that need to be dealt with in committee. We would like to have an opportunity for people to be heard on those issues and for those amendments to be put forward and to be dealt with. It’s simple, right? It’s not complicated. It’s called democracy, as my friend from Hamilton says, and it is the legislative process.

I want people to know that there is support for the concept of this college and the direction the bill’s going in, but if there are concerns people have expressed to us as legislators, it is our responsibility to bring them forward and to ensure there is debate on that. That’s the democratic process, not what we see in this House, which is day after day of time allocation bills, shutting down democratic debate.

1750

Mr Bruce Smith (Middlesex): I’m certainly pleased to have the opportunity to join in debate this afternoon with my colleagues from Halton Centre and Peterborough on this motion that’s before us.

I have to say at the outset that very clearly all of us in this place fully understand the need to find a balance between continuing debate and closure to that debate, so that we can continue with the business of government. As we look to the record of our government, and particularly as we look at average time spent on second readings, it’s significant, because the numbers in themselves speak to the issues that to some extent have been addressed by the opposition members here today.

In the second session of this government, as we look to second reading of government bills, we see that the government spent some five hours and 49 minutes on second reading on government bills, by comparison to the New Democratic administration where we saw some three

hours and 55 minutes spent on second reading. By comparison, though, to both the Conservative Party and the New Democratic Party, the Liberals fall far short of that in terms of their record in the 34th Parliament, where we saw some one hour and 38 minutes spent with respect to second reading of government bills.

Very clearly there's a precedent in terms of the amount of time that's being spent, and as well, as we look to the time spent in terms of soliciting public input through the committee process that parallels the legislative process in this place, we again see a number of hours, nearly 800 hours, pursued by this government with respect to committee travel and time spent with respect to various bills before legislative committees.

We've heard a lot this afternoon, as we've talked about the motion before us, about the doom and gloom and the negative environment that exists in Ontario today. By comparison, I find myself obviously in opposition to those suggestions, because as we look to the many good things that are happening in this province, we see today and over the course of the past three and a half years the employment numbers in this province increasing. In fact, since the throne speech in 1995, we've seen an increase in total employment of some 461,000 jobs, accounting for some 49.7% of all jobs created in Canada.

Very clearly the province of Ontario is excelling in terms of its job creation agenda, and that agenda is very consistent with the merits of the bill that's before us in terms of Bill 81 and the issues that are captured within that particular piece of legislation.

We've also seen the jobless rate at an eight-year low in this province, where the unemployment rate has fallen from 7% to 6.9% in November. That equates to the lowest rate since September 1990. By comparison, as well, we see more good news in the form of improvements to the help wanted index, which in the month of November was up and very clearly at the highest level since August 1990. We're seeing an increasing level of confidence. Certainly the benchmarks are moving in the right direction.

Perhaps one of the most significant statistics that we see with respect to the news that's relevant to this province is a continued decline in the number of individuals who are dependent on welfare in this province, a decline of some 17,000 individuals in the month of November. This equates to over 357,000 individuals who have stopped their reliance or dependency on the welfare system in this province since June 1995.

There are some very strong indicators that to a certain extent are parallel with respect to items contained in this bill and broader policy objectives of our government in terms of where we want to go both currently and into the future.

Notwithstanding the points of view that have been expressed here today, we see and continue to see evidence of a continued strong economy in this province where the province of Ontario will witness and see an economy that remains strong and positions itself as a leader in this nation. As we see that materializing, it's important to realize that, yes, there are difficult decisions being made

with respect to the government of Ontario today, but those decisions not only are having an immediate benefit to the province but I believe strongly, as do my colleagues, that these decisions are positioning us well for the year 2000 and beyond.

As we look to those who share that same point of view, we see the conference board indicating that Ontario is well positioned for a second consecutive year of solid growth; domestic demand will again drive overall activity. DRI/McGraw Hill states: "Ontario is expanding quickly. Lower tax rates" — which in part are captured in this particular bill — "and a large share of high technology industries will help keep Ontario at the top of the provincial growth rankings over the next decade." Very clearly we're seeing the predictions starting to come forward that in fact this economy will remain strong and very viable into the future.

It wasn't very long ago that we heard a lot of negative feedback about the government's decisions with respect to reforms in the greater Toronto area, and specifically in Toronto. As those decisions are behind us and the difficult decisions have been made, once again we're seeing that the Toronto CMA has the strongest economy in Canada and very clearly there are indications that that economy will continue to grow. Again, the Conference Board of Canada indicates that an expected growth rate of some 5.1% will be realized in the near future and continued into the year 2000.

In that context, the economy in Toronto is expected to add some 92,000 new jobs in 1998 and about 75,000 jobs annually until the year 2000. The negativity that surrounded those very difficult decisions about the collapse of the largest city in this province, the collapse of the things that Ontarians have come to know about Toronto —

Interjection: Unwarranted.

Mr Smith: As my colleague has suggested, unwarranted concerns have in fact not materialized and we're seeing predictions not only for Toronto but, I might add, for the Ottawa-Hull area whereby that particular community and the broader community of Ottawa-Hull will be benefiting from the policy decisions of this government.

Youth are one of the key issues. Certainly all members in the House would remain concerned about the degree of youth unemployment in this province, and as we look to those particular issues we see youth unemployment rates rising again, and very significantly a step forward. Albeit there has to be continued work and focus on that particular area, I think it's significant in terms of the turnaround that's occurring with respect to the economy in this province.

Other areas of interest: Obviously retail sales are strong; auto sales are up in 1998; the housing market remains extremely healthy. It's those various factors that will continue to contribute to the health of this particular province and the health of this country as we position ourselves for the year 2000 and beyond.

We see non-residential building permits up in 1998; Ontario manufacturing shipments up in 1998; in that same

vein, Ontario exports up strongly for this year as well. To package the export-import aspect together, we see Ontario wholesale trade up as well in 1998.

I believe strongly we have found the balance between continued debate — this motion placed before us is a matter that's necessary for us to move to the next stage of consideration of this particular bill, and certainly this bill in itself means a continuation of reduced taxation for Ontarians. It creates opportunity for small business to create more jobs, the area of this economy that continues to lead with respect to job creation. We see the opportunity through this bill for assistance in accessible child care for working families with children in this province.

Obviously one of the key issues that my colleague from Brampton North has worked on extensively since 1995, and the minister responsible for privatization, an issue that they dealt with early on in our mandate, was the particular issue of providing greater access to capital for small businesses.

This bill as well assists those who are disabled and provides support for growing firms and for jobs, and in essence, provides us the basis as we continue to work for a fairer tax system in this province. I believe very strongly this motion is necessary and appropriate, and in that context I'll conclude my comments.

The Speaker: Mr Wilson has moved government notice of motion number 45.

Is it the pleasure of the House that the motion carry?

All those in favour please say "aye."

All those opposed please say "nay."

In my opinion, the ayes have it.

Call in the members. It will be a five-minute bell.

The division bells rang from 1801 to 1806.

The Speaker: All those in favour please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted
Baird, John R.
Barrett, Toby
Beaubien, Marcel
Boushy, Dave
Carr, Gary
Carroll, Jack
Clement, Tony
Danford, Harry
DeFaria, Carl
Doyle, Ed
Ecker, Janet
Elliott, Brenda
Fisher, Barbara
Flaherty, Jim
Ford, Douglas B.
Galt, Doug
Grimmett, Bill
Guzzo, Garry J.
Hardeman, Ernie
Jordan, W. Leo
Klees, Frank
Leach, Al
Leadston, Gary L.
Martiniuk, Gerry
Munro, Julia
Mushinski, Marilyn
O'Toole, John
Ouellette, Jerry J.
Parker, John L.

Rollins, E.J. Douglas
Sampson, Rob
Shea, Derwyn
Sheehan, Frank
Skarica, Toni
Smith, Bruce
Spina, Joseph
Tilson, David
Turnbull, David
Vankoughnet, Bill
Wettlaufer, Wayne
Witmer, Elizabeth
Wood, Bob
Young, Terence H.

The Speaker: All those opposed please rise one at a time and be recognized by the Clerk.

Nays

Boyd, Marion
Brown, Michael A.
Castrilli, Annamarie
Christopherson, David
Conway, Sean G.
Crozier, Bruce
Cullen, Alex
Curling, Alvin
Gerretsen, John
Kormos, Peter
Lankin, Frances
Lessard, Wayne

Martel, Shelley
Martin, Tony
Monn, Blain K.
Phillips, Gerry
Silipo, Tony

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 44; the nays are 17.

The Speaker: I declare the motion lost.

Interjection.

The Speaker: Oh yes, darn. I declare the motion carried.

It being after 6 of the clock, this House stands adjourned until 10 am tomorrow.

The House adjourned at 1808.

LEGISLATIVE ASSEMBLY OF ONTARIO
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Brantford	Johnson, Ron (PC)	Hamilton Mountain	Pettit, Trevor (PC)
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Cochrane North / -Nord	Wood, Len (ND)	Kitchener	Wettlaufer, Wayne (PC)
Cochrane South / -Sud	Bisson, Gilles (ND)	Kitchener-Wilmot	Leadston, Gary L. (PC)
Cornwall	Cleary, John C. (L)	Lake Nipigon / Lac-Nipigon	Pouliot, Gilles (ND)
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Fort York	Marchese, Rosario (ND)		
Frontenac-Addington	Vankoughnet, Bill (PC)		

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Prescott et Russell			Duncan, Dwight (L)
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Official Report of Debates (Hansard)

Journal des débats (Hansard)

Thursday 10 December 1998

Jeudi 10 décembre 1998

Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 10 December 1998

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 10 décembre 1998

The House met at 1003.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS

ADOPTION DISCLOSURE STATUTE LAW AMENDMENT ACT, 1998

LOI DE 1998 MODIFIANT DES LOIS EN CE QUI CONCERNE LA DIVULGATION DE RENSEIGNEMENTS SUR LES ADOPTIONS

Ms Churley moved second reading of the following bill:

Bill 88, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of Adoption Disclosure / Projet de loi 88, Loi modifiant la Loi sur les statistiques de l'état civil et la Loi sur les services à l'enfance et à la famille en ce qui concerne la divulgation de renseignements sur les adoptions.

The Acting Speaker (Mr Gilles E. Morin): Pursuant to standing order 95(c)(i), the member has 10 minutes for her presentation.

Ms Marilyn Churley (Riverdale): I think it's appropriate and a very good omen today that this bill is up for debate on International Human Rights Day. We have a chance today to recognize the human rights of all persons within Ontario and bring Ontario in line with the UN conventions on human rights and rights of the child and the Canadian charter.

I want to start by recognizing some of the people in the gallery from the adoption community, and in the members' gallery as well, and thank them for their 25 years of hard work in trying to get adoption reform in Ontario. We owe them quite a debt of gratitude.

I also want to acknowledge Holly Kramer, who is the president of Parent Finders Inc, who played a very important part of my life in helping me reunite with my son, Bill, who is also here today sitting in the members' gallery. It's a real pleasure to be debating this bill with him here today.

You all know my personal story by now, so I'm not going to dwell on it. As you know, it's been a very happy story for me and Bill and his parents. We've all become friends and our lives have been enriched by this reunion. But this bill today is not about me or for me — I reached the completion a few years ago in my search for my son — but for all the people, some of whom are in the gallery

today, the thousands of people who are out there and have been searching for their biological relatives for years.

I also want to thank Tony Martin for allowing me to use his private member's bill from 1994, which I was involved in at that time and which, as you know, almost passed in the House, but the House prorogued at midnight and did not come back and it died on the order paper. I particularly want to thank Alex Cullen, who just recently in June, I believe, introduced a private member's bill. Although it went further than mine, I introduced Tony Martin's bill because, after talking to members in the House, I felt that the most consensus could be reached on this bill that I introduced today.

Bill 88 represents almost 25 years of consultation with the adoption community and reflects a consensus among those directly affected and concurs with academic findings and the recommendations of two major government commissions. In addition, they reflect the findings of four cross-province consultations with representatives from the adoption community. Britain passed similar legislation in the 1970s and the Northwest Territories on November 1; in fact this kind of legislation, similar legislation, has been passed in jurisdictions around the world.

This bill basically does one major thing: It gives adult adoptees the same right as every other person in Ontario to have access to their personal birth information. When a child is placed for adoption, the birth certificate is altered and the original birth certificate is sealed. The system that we have in place now does not work and has not been working for a long time. It is expensive and it is so under-resourced that people can now wait literally up to 15 years, from seven to 15 years, to even have a search done to see if there's a match of registration. This has got to stop.

There are not going to be any special problems associated with this legislation. It really just expedites what's already happening out there. There are birth parents, adopted adults, adoptees — that's redundant — out there searching and finding each other, but it's agonizing because of the system we have in place in Ontario. I hear from people 50 years and older who are searching and who are in fear that their birth mother or birth father, if that's whom they're seeking, may die, and in fact that has happened. People need access to their health information. The situation we have now is unacceptable.

1010

I know that there have been a few concerns expressed. The minister has expressed concerns about privacy laws. That came up during the debate on Tony Martin's bill. It

was made very clear, this is not a problem in other jurisdictions across the world. Furthermore, as was pointed out during the committee hearings by Mrs Judy Wright, who has been very involved in this issue for a long time and was then the president of Parent Finders, what's going to happen is there are going to be court cases resulting from this mess that we've got now with the registry because people are getting tired of waiting; people are getting older, and it's totally unacceptable that they have to wait that long. That is where we're going to find ourselves, in court, if we do not move and move quickly on this legislation today.

Concern has also been expressed about birth mothers who want to remain anonymous. As birth mothers, we never agreed to that. On the whole, it was imposed on us. Certainly it was not something that I wanted. But there is protection in this bill for those birth mothers who do not want to be found for whatever reason. We made sure that clause was in there. We have found as well that this no-contact veto is working in other jurisdictions.

I want to appeal to everybody here today to support Bill 88 on second reading. I'm also going to appeal to the members today to allow unanimous consent to let the bill go on to third reading. Obviously, we can't have that vote today on third reading, that's not allowed in private members' hour, but I would like it to move on. I have spoken to individuals involved in the adoption community. The response is, some people would like it go further, as would I — and I know Mr Cullen would, and others — but this is the compromise that was made after extensive hearings and consultation in 1994 and previous to that. I believe there is a huge consensus to move forward on this bill. I am appealing to the members, therefore, to allow it to go on to third reading because we do not need committee hearings.

We all know that an election is coming soon; we're not sure when. But obviously, the very big concern is that we could debate this bill today, it could pass second reading, be sent out to committee and it will never see the light of day again.

I heard a woman on CBC Radio responding to a story that I did, that was done on Metro Morning about this issue, who was very pleased to see it come forward, but said she's concerned about these private member's bills. In regard to this kind of important legislation that affects literally up to a million people when you include the relatives of the adult adoptees, the concern expressed was that private member's bills seldom get through the House, and we all know that is true.

But we have a rare opportunity today to approach this in a non-partisan way, to walk out of here today with our heads held high and proud that we were able to work together for the good of about a million people affected by this bad legislation in Ontario. We sometimes forget, I believe, as legislators the awesome power we have over individual lives in this province as we debate bill after bill, the day-to-day grind. I believe we forget that sometimes.

Today is an opportunity to play Santa Claus. Christmas is coming, it's Human Rights Day. We have an oppor-

tunity together to do something good, to do something for the people who have been waiting for so long, for all three parties to act and pass this legislation. I hope that people can do that. I believe that the adoption community has had enough. There has been 25 years of this. There is similar legislation in Canada, across the world, and it is working. I urge members to support this bill today on second and third reading.

Mr Frank Klees (York-Mackenzie): I want to commend the member for Riverdale for bringing this legislation forward. I want to say at the outset that I will be voting in favour of this legislation when it comes to a vote.

I want to express as well that I speak to this issue as an adoptive parent. My wife and I had the experience of adoption some 16 years ago when we brought home a two-day-old son and a six-pack of formula because, in the final hours, the approval for the adoption and the call from the doctor came so unexpectedly. It was at once a disconcerting experience for us, because here we had this child, but at the same time a great blessing, and has continued to be so over the 16 years. I also have a 20-year-old daughter, and I can tell you that in my heart, and I'm sure the heart of any adoptive parent, there is no difference between a child who is born naturally into that home or a child who is adopted. The blessings and the challenges are the same. The stresses are the same. I can share with you as well that my wife comes from a family where all four siblings were adopted.

We have had personal experience of knowing the wonderings that go on in the heart and in the mind of one who is adopted considering their past. What was the parenthood about, who was the father, who was the mother and what does that mean to the individual as to who they are today? So I think it behooves us to give very serious consideration to the intent of this legislation, which is to allow individuals who are adopted into the fullness of their life to appreciate who their birth parents were and what that means in their lives today and into the future.

Is it appropriate for a system to be in place that hides important information about a person's background from them for life? I don't believe so. I believe that we as a society, as a Legislature, need to do what we can to take the barriers down to ensure that everyone in this province has that access, that right and that opportunity.

I want to say at the same time that I believe also, as legislators, we have a responsibility to ensure that there is balance in the system. I know the member also had this in mind when she incorporated into this legislation an opportunity for birth parents to request that the disclosure not be made, wanting, I'm sure, by providing for this to protect the privacy, but also no doubt circumstances perhaps over which an individual had no control at one stage of their life, and wanting to protect the state of the existing family relationships as well.

Not everyone understands and can enter fully into the feelings, the circumstances that exist if one hasn't lived through that process. I think it's probably very difficult for

some people to accept that now there is another person in this family. After a great number of years when the family unit was considered to be two, three or four, and now there is this other person who has come into the picture.

1020

I don't think the member intended at all for this legislation to interrupt that family circumstance today so she has made a provision for the birth parent to register the intent not to be contacted. But I believe as well, and I agree, that relevant medical information should be made available wherever possible. I believe there is a balance here that addresses concerns, that allows an individual to be protected if that's their wish, and at the same time opens the door for individuals who are seeking information to get that information and have it available.

I find it interesting, and again I think it demonstrates the sensitivity the member had when she developed this legislation, in that this right of access applies only to the adoptee at a point of 18 years and older and doesn't really give that same right to the parent who was involved in giving the child up for adoption. That speaks to the intent of the legislation, and I commend her for that. I will say as well, as parliamentary assistant to the Minister of Community and Social Services, that as a ministry, as a government, we believe the principle of this bill deserves support.

I will also acknowledge that the existing process that we have in place is in need of review, that the waiting lists we hear about are unacceptable. We will make a commitment to continue to review. We have over the last number of years continued to provide more resources. I know the member will say not enough resources — unfortunately, that is a problem we face in every ministry and every program — but things certainly are getting better and will continue to do so as we bring the affairs of this province in order, and over time we'll even be able to bring more resources to bear on this registry.

In closing, I want to again commend the member for bringing this forward. I will be supporting it. I urge members of this House to support it as well. There are some details about this bill on which I would like to have some opportunity to have some further discussion and debate and I trust there will be that opportunity to do it. I understand the intent of the member is to move this forward without any committee time, but I will not be able to support that. I do look forward to some committee time on this bill.

Mr Dominic Agostino (Hamilton East): I'm pleased to join the debate and to rise in support of the bill that was introduced today. I want to first of all congratulate the member for Riverdale for the work she has done in this area.

I have had some experience in the sense of friends of mine who have gone through difficulties with this process in the past which they have tried very hard to resolve and to find and reunite to some degree with their parents. But the issue really struck home for me in reading the personal experience that the member for Riverdale went through. Reading that last April, I can tell you I was moved by

what she went through. I was moved by the difficulty, the struggles, and the joy in their reunion that occurred. I certainly looked at that and it really has stuck in my mind as to why this is important and why I believe we need, and have to, and must, all of us in this House today, support this.

It's rare in public life that we can use our own personal experiences and our own struggles to make legislation, to bring forward legislation, and to ensure that other people do not go through those difficulties, or make it easier for other people to deal with the problems we have dealt with. I think the member for Riverdale has done that. I know her son is here today. I'm sure that both are extremely proud of each other, of their efforts, of their accomplishments and of their commitment to this issue.

The time has come for us to bring this legislation into the year 2000. It's legislation that has not changed over the years in this province. It's legislation that was brought in at a time when there was a different mindset as to adoptions and as to the role of birth mothers and children to find their parents. Times have changed and the attitudes have changed. The willingness of people to reunite and to make that connection again is there, and the public attitude towards that. I think we certainly have public support for this.

It's one of those opportunities in this House — it's rare — that we can do something, pass some legislation that has no political overtones. That is the beauty of this. This is not a political issue, it's not a partisan issue. It's simply an issue of fairness, it's an issue of equality. As the member for Riverdale mentioned, the experience of people having to search for 15, 20 years — to me, the pain and the struggles and the difficulties in that are unimaginable. Through this piece of legislation I believe we can make that process much simpler, we can make the opportunity for that bond to occur and we can play a role in ensuring that many people have the opportunity to deal with something that may be bugging them or that they've been trying to change or do for 15, 20, 25 years. I think it's a great change that is occurring.

I know that for many women it's a very traumatic experience to go through, as the member for Riverdale has told us. For the children, as they get older and want to reconnect with their birth parents, it's a very traumatic experience. We in government have an opportunity to ensure that there's fairness and, as the member mentioned, balance in this. I think this bill does that. It protects both the need of the child and, on the other hand, the need of the birth mother if she chooses not to have any contact, for whatever reason. I believe in most cases people want that opportunity, and people should have access to that opportunity.

We have a responsibility to ensure that through this piece of legislation we can do that. I would like to see it go through the House quickly. I think it makes sense. I don't think it needs a great deal of refinement. There may be a change here or there, but overall the intent, the tone of it, the direction of it, the effort that has gone behind this, make it, to me, a very solid piece and allows us to catch up with many other jurisdictions. It gives us an opportunity,

in a non-partisan way in this House today, to do something positive and good for all Ontarians. I will support it.

As I wrap up, I again want to congratulate the member for Riverdale for her efforts in this, and the people who have worked with her on this. I can tell you that I had a great deal of respect for her, coming into this House when I got elected, knowing the experience she's gone through and what she was put through. That level of respect has grown tremendously and I want to congratulate her for the work she's done.

Mr Alex Cullen (Ottawa West): I'm pleased to stand in support of Bill 88. I think members know that last June I tabled Bill 39, which sought to amend the legislation we have governing adoption information to allow access to birth registration and adoption records for adult adoptees, birth parents, adoptive parents and other relatives.

The legislation we have before us here presented by my colleague from Riverdale builds on the work that Tony Martin provided us in the last government in Bill 158. As the member for Riverdale has said, that work that deals with access to birth registration records for adult adoptees, which is what we have before us today, is a consensus. I would like to see it expanded, because there are more people involved in the adoption triad and I think they have rights as adults to learn about their families.

1030

But I'm more than happy to support the legislation we have here, because my own particular private member's bill would not come up until June, or thereabouts, under the order paper and we may not be here in June. I'm very anxious to see that there is some progress, because progress is needed, very much so.

I'm an adoptive parent. I adopted my son when he was three going on four. When I adopted him, his name was changed and the birth record was changed; it was as if I was his natural father. He knows I'm not his natural father; I'm the only father he knows, mind you, but he knows I'm not his natural father. But the record doesn't show, would not allow him to see that he had another name, that he came from another family.

There are many people who have similar experiences to relate, even in this House. My colleague from Cochrane South, who is sitting beside me, will tell you his experience; my colleague from Nickel Belt, Mr Morin, has his experience. Many of us have experiences, or we know people who either adopted or were adopted or know someone in their family who's been through the process. Indeed, we have over a quarter of a million adoptions in Ontario. There are over a million people who have been affected by this.

What we're looking for here is to give those adults who desire to know more about their families the ability to do so and the facility to do so. Right now we know that we have an adoption disclosure registry, but we also know that there are over 50,000 people who registered to find out about their origins. Unfortunately, the number of searches completed has been 9,000. The waiting list is over 15 years, and that's really unfortunate.

We also know that the practice of sealed adoptions really began 70 years ago based on the popular notion of

the day that unmarried pregnancies, infertility and illegitimacy were humiliations to be hidden. Thank goodness, we have moved passed that.

Currently, as I said earlier, 20% of the Ontario population is involved in some way with adoptions. The lack of access to adoption records is a continuing source of deep frustration to the many adoptees and their descendants, as well as to those birth parents who wish to know what happened to their children.

Ontario's legislation governing access to adoption information, quite frankly, is antiquated. In 1979, when the adoption disclosure registry was established, it was the cutting edge, but we have been overtaken by other jurisdictions around the world and even in Canada. The reform of adoption secrecy laws is simply long overdue and must be addressed. I'm pleased to be here today, hopefully with the support of members to do that.

The member for Riverdale mentioned that this bill really covers no new ground compared to the bill that was introduced, went through second reading, went through committee, heard delegations and was reported unanimously to this House last cycle. I'm sure the member for Sault Ste Marie will be able to provide more details on that.

This is a bill, not written de nouveau, as they would say, but that has been written and gone through the fire. I am hopeful that members here will support this initiative. I personally would like to thank Patricia McCarron, who is an adoptee and co-chair of the alliance for reform of adoption law and president of Parent Finders, National Capital Region; Monica Byrne, a birth parent, who is the registrar for Parent Finders in Ottawa-Carleton; Katherine Kimbell, an adoptive parent, who was co-chair of ARCO; Pat Fenton, from the Adoption Council of Ontario, also an adoptive parent; and Dianne Mathes, who is chair of ACO and an adoptee.

Mr David Tilson (Dufferin-Peel): I too would like to congratulate the member for Riverdale for bringing this issue to the House. I gather it's essentially the same bill that was introduced by the member for Sault Ste Marie. I can tell you that in the government caucus there was a lot of debate, there was a lot discussion for and against. We have two speakers from our side of the House. One is the member for York-Mackenzie, who is speaking in favour of it, and I am speaking against it. Not that I'm representing a particular group — I was against Mr Martin's bill as well — although I certainly acknowledge that the system is fraught with problems and needs to be dealt with, and I support you on bringing the issue to the House.

Having said that, I'd like to outline some of the reasons why I'm opposed to this particular bill. I think that all of us in this House have either personal experience or know someone who's been adopted or has adopted children. It's a very emotional issue. I understand that some of the people who may be watching here or on television feel that way; there are people in this assembly that feel that way. It's a very emotional issue and it's difficult to talk about.

Sometimes you try not to personalize matters too much, but I can tell you that my wife has just gone through this. She was adopted and had the unfortunate experience of having a connection, through social services, with her birth mother. She wrote a letter — and this probably has nothing to do with your bill, but it shows the emotional impact of this whole issue. It was suggested that the first contact be by letter. She wrote a very detailed letter about her life — and she's had a successful life up until the present time — outlined all that, and sent a photograph of herself. The birth mother, for whatever reason, changed her mind after receiving that letter. Whether she thought everything was OK, I don't know, but it was devastating. I'm sure there are similar stories.

The first argument that I would make as to why this bill should not be supported is that it appears to be retroactive; it appears to go back to time immemorial. Arrangements were made by individuals. In other words, it may be that if the position was that from now until the future, if you're going to adopt these are the conditions, you know it may be possible that in the future there will be contact. But contracts were made, arrangements were made, by birth parents that there would be no contact. Now, if this bill passes — not everybody reads the Ontario Gazette; not everybody reads the newspapers — not everybody will know that this law is going to pass. It's most unfair to those people. Those people have married, have started up new lives, have children, have siblings, all kinds of things. It could have a profound effect on those people. The bill certainly is retroactive and it goes back, I guess, indefinitely. I don't think that's fair to do.

The other issue is, this bill is designed for the adopted children finding their birth parents. The member talks about human rights. What about the rights of the birth parents? They don't seem to have the same rights in this bill as the adopted children. There are birth parents, Ms Churley being one of them, who, for different reasons, wish to communicate with or contact their child. This bill does not provide that right, and I would submit to her that — and by saying this, I'm not even supporting this philosophy, only pointing out that if this is good enough for the adopted persons, why isn't it good enough for the birth parents? Why wouldn't we do that? Why wouldn't we give the birth parents the same rights as we're giving the adopted children?

Those are the two major reasons I'm opposed to the bill. Looking at the bill, there's a section that deals with counselling and it seems to — and the member may wish to speak on this. If this bill passes and reaches committee, it would be appropriate to deal with that then, I suppose. The whole issue of counselling: The process now is that if both parties register, there is a contact, there is a communication. It's a gradual communication — it could be by letter; it could be over a period of time — and well it should be.

In my wife's case it's 40 years. Forty years have gone by. That's a long time to confront two individuals, a terribly long time. It's a very traumatic experience. This bill, it seems to me, doesn't necessarily make it optional

but it certainly waters down the whole aspect of counselling.

We're making people take a proactive step. If you're going to do that — and I don't support that — you should make everyone make a proactive step. In other words, the adoptive children should do the same thing, they should register their objection, because the same thing could happen.

I admire your initiative in bringing this forward, but I will be voting against it.

1040

Mr Gerry Phillips (Scarborough-Agincourt): I want to commend the member for Riverdale as well, and to say that I'll be supporting the bill. There are really three major parties affected by the bill, and I'd like to touch on each of them for a moment.

The first, obviously, is the adopted child. For many adopted children — indeed for all of us, I think — an understanding of our roots is important in our lives at some stage. For some adopted children it's not an issue, but for others, understandably, it becomes extremely important in their lives. This bill gives them a better opportunity to fill a void in their lives: "Where are my roots? Where did I come from?" I think it's a meaningful step forward for the adopted child.

For the birth parents, there is a whole series of circumstances. Ms Churley has eloquently told us about her own in a very important way. But for many birth parents the decision to give up their child for adoption was made at a point in their lives, perhaps almost always, of trauma, of challenge, of problems in their lives when they were unable, for a variety of reasons, to keep their child. One can only imagine the void in their lives of never knowing what happened to their child, where they are, how their life is going. This, by and large, provides a vehicle for them to fill a major void in their lives.

The decision is left to them. I thought Mr Tilson spoke well about ensuring, if this bill were to pass, that they are aware they have to make that decision, that it doesn't come as an unanticipated surprise to them. As I say, you can only imagine people out there who, for a variety of circumstances, were forced to give up their child for adoption whose life can never be fulfilled unless they get the answer to that question.

The third group, obviously, are the adoptive parents. In some respects it's the most challenging part of the bill. I would say, though, that the majority of adoptive parents, in my experience, want to do what's in the best interest of their adopted child. If the adopted child says, "I really would like to find my birth parents," my own view is that 90% of adoptive parents support that. They understand it's a void in their child's life that needs to be answered.

Probably the challenge in this is the adoptive parents who, for whatever reason, feel threatened by this; it causes them a sense of unease. My own view is that if the thought of their adopted child finding their birth parent causes them unease, this bill will not in any substantive way make that feeling better or worse. If a child desperately wants to find their birth parent and the adoptive parents aren't supportive of it, that child will try anyway.

I understand how emotional this feeling of, "I feel a bit uneasy that my adopted son or daughter wants to find their birth parents," can be for some adoptive parents. As I say, I think 90% of adoptive parents are very supportive of that. I dare say they've had that conversation and would be enthusiastically helping them. I appreciate that for many this is a very difficult debate. But I think this bill is certainly a significant step forward for the adopted child and for the birth parents and for the adoptive parents. For those few adoptive parents who may feel uneasy or somehow threatened by it, I don't think the bill significantly changes that.

I commend the member for bringing the bill forward and indicate my support for it.

Mr Tony Martin (Sault Ste Marie): This is a little like déjà vu all over again. As I look around this place, I see two of the ministers who were instrumental in working with me and so many others to almost achieve a bill in Ontario back in 1995 that would have precluded our having this discussion today. I look in the members' gallery and see people who were here that infamous night when we all thought we were that close to success in this endeavour, only to be dropped disappointingly from that height of having achieved another landmark in giving human rights to another group of people who have been denied those for so long in Ontario.

I want to say probably three things about this bill in the few minutes I have this morning. One is that this bill was not Tony Martin's bill. This was a bill that I simply sponsored. This bill was driven by the adoption community, the triad. All parts of the adoption community were supportive of this bill. This bill was driven by the government of the day, who wanted to see it happen and used this vehicle to make it happen, supported 150% by the ministers directly responsible for the activity around adoption in this province: Marilyn Churley, who was the Minister of Consumer and Commercial Relations at the time; Tony Silipo, who was the Minister of Community and Social Services at the time, and their staffs. Some of those people put in long hours working with us to refine every detail in this bill so that we covered those things that needed to be covered, and responded in a serious and constructive way to the questions and concerns of those who were concerned at that time.

The second thing I want to say is that it's interesting to note that this bill was duly processed at that time. There was full debate in committee particularly. We had several days of public hearings, where people came forward and told their stories and asked questions. We had members of every party in this establishment around the table. I remember the contribution of Cam Jackson, the member for Burlington South, being so determined that this would go through, challenging us every time we turned around, meeting him in the corridors. He was so convinced that this was the right thing; he was convinced that he had his caucus on side and that they were going to support this.

The only question in Cam Jackson's mind, from the Conservative caucus of the day was: Was the government behind this? Were Tony Silipo and Marilyn Churley

behind this? Were we going to move the resources from one ministry to the other and provide the extra resources that were going to be required to make this happen? And on every occasion that he asked that question, we said, "Yes, we are committed; yes, this is going to happen." There was going to be no holdup. All we had to do was get it through the process of this place.

This bill was supported by all parties in the Legislature at that time. I remember the Liberals: I remember the positive and constructive contribution of Charles Beer; I remember Lyn McLeod at those committee meetings, at 10, 11 o'clock at night as we sat here till midnight, bringing forward amendments to that bill so that we might respond to the concerns that were raised by people such as the member who spoke here this morning. We answered those questions. We dealt with this three years ago. Three years ago, Ontario was out in front on this issue. We were going to set a precedent for this country.

Three years later, unfortunately, we are behind. We are playing catch-up. Three years ago, we were looking at New Zealand as the model we would follow. Now we're looking at legislation that's been passed, for example, in British Columbia and the Northwest Territories. We're not leading the way any more. We're only playing catch-up. As the province that considers itself the leader in so many areas in this country, we are playing catch-up in this area and continue to do so. That, in my mind, is very unfortunate.

1050

I remember Larry O'Connor, from our own caucus, working with me through the very difficult discussions we had over amendments that were brought forward and debated and eventually adopted so that we might answer some of the questions people had. I remember the discussion around the provision to block contact if that was the desire of the adoptive parent. I remember the discussion around counselling and the decision that was made, and rightfully, that mandatory counselling was not appropriate but that counselling should be offered if it was required, if it was requested.

I remember the commitment that was made by the ministries at the time that that would be provided, that that would be paid for. I remember the sense of relief as everybody looked at the possibility of getting this bill through, that finally the bottleneck would be let up, and people who for too long had been denied their basic human right, a right that all of us take for granted, access to information about their birth, were finally going to be given that right.

This morning, I encourage everybody in this place to support this bill that's in front of us.

Mr David Ramsay (Timiskaming): I'm very pleased to speak in favour of this bill today. I'd like to congratulate the member for Riverdale for bringing this forward. I think she's got the right tone in this bill. I have been following this issue over the years, and some of my past colleagues have been lobbying on behalf of past bills. When the member for Sault Ste Marie brought his bill forward in 1995, I remember that Mavis Wilson, the

former member for Dufferin-Peel, who found her child, was very supportive of this and asked us to support Mr Martin's bill at the time.

I'm an adopted child, so I certainly have an interest in this. My sister is also adopted. My parents were very good about this. I think I was six or seven when they gave me a book called *Chosen Child* and told me how they had brought me into their family and the reasons why. It was done very well. In fact it was done so well, and I felt so secure in my family, that I've actually never had the desire to seek out my birth parents. I've thought about it, and I think part of the reason may be that I was born in Australia when my parents were there and with the great distance it really wasn't important to me and I was very happy in my family where I grew up in Oakville.

Now my sister, who's also adopted — and I know this is certainly one of the reasons that people want to seek out their birth parents — has had health problems. She felt, and her doctor felt, that it would be important for her to try to seek out her birth parents to help with the diagnosis and prognosis of health concerns that she had. There is a multitude of reasons why adoptive children want to seek out their birth parents. It could be based on the speech that the member for Scarborough-Agincourt made this morning, that a sense of rootlessness might initiate this and that adopted children might want to really find out where their birth family came from and who they were. But as in the case of my sister, it could be for health reasons. There are a number of reasons why an adopted child may want to find their birth parents.

I think Ms Churley's bill sets the right tone, because while it's important for adopted children to be able to find their birth parents if they so desire, I also respect the right of the birth parent not to be contacted if that is what they wish, especially, I suppose, from the generation that I was born into. At that time there would be a stigma about, as we used to call it, illegitimate birth, and to be surprised one day down the road in a family situation where maybe the mother never told her family about the past situation could have been and may be detrimental to that family situation. That's best for that person to judge. Today we've come a long way from that sort of stigma, but I still think it is important that the birth parents have that right if they so wish.

The member for Riverdale's bill strikes that balance, the balance of the right to know with the balance of privacy for the birth parent. I think it sets the right tone. I think it's the right time. I would certainly encourage all the members of this House to adopt it, and I would encourage them that the government really listen to the voice of this House if it is to be adopted today and incorporate this in government legislation so this would be the law of the land in Ontario.

Mr Tony Silipo (Dovercourt): I am pleased to have an opportunity, as brief as it may be, to stand here today and express my support for this bill and thank my colleague Marilyn Churley for bringing forward this piece of legislation, for the drive that she has shown and the

sensitivity that she has shown, given her own experience, to bring this legislation forward.

As she mentioned and as my colleague Tony Martin mentioned in recounting the history of this legislation in the previous incarnations, I was proud as a member of the previous government to have an opportunity to work on this issue and to work with my colleague Ms Churley at the time, and Mr Martin, to bring forward his private member's bill when we were not able to get it on the government's legislative agenda. I say this because this is for me one of the most significant discussions and issues that we have dealt with as a Parliament in this government, as it was in the last government.

I want to say particularly to Mr Tilson and to people who hold the concerns that he does that I understand — I don't agree, but I understand — the concerns he expresses. I would say to him and to members who may think as he does that we need to continue to provide that protection by in fact denying the rights to certain other individuals. We are talking here about adults, people who are able to make up their own minds about whether they want to fill that void, to seek that link back with their past, realizing that in doing so there may be cases, such as the one Mr Tilson recounted, where one of the other parties, the birth parent, may not want that link to be re-established. That is a right that has to be respected, but I don't think that is sufficient to deny adults who have been adopted when they were children and who lost those rights by the laws of the land as they stood then, and unfortunately as they stand today.

It is not good enough to simply say we can continue this situation. I hope we can show today the sensitivity that this issue requires and the courage that this issue requires to allow this to go forward.

I wish, quite frankly, that we had more time to get into some of those issues. I know that, as my colleague mentioned, all of those issues were canvassed in the committee discussions. I would ask people to turn to that discussion, to pay attention to the fact that that was done and to at least allow this bill to go forward from here so that we can deal with a very important issue and give back to an important group of citizens in Ontario rights that were taken away from them through no doing of their own.

The Acting Speaker: Thank you. Cochrane North.

M. Gilles Bisson (Cochrane-Sud) : Cochrane-Sud, monsieur le Président. Merci.

J'aimerais féliciter ma collègue M^{me} Churley d'être venue avec ce projet de loi. Je pense que c'est très important. On a besoin d'écouter le débat.

Je veux dire, personnellement, que ça fait un mois que j'ai été contacté, et notre famille, par ma soeur. On ne savait pas pour des années qu'on avait une soeur. On a été contactés par Colette ça fait environ un mois. Je peux vous dire, comme un des frères qui ont été contactés, je suis très content qu'elle a eu la possibilité de nous trouver. C'était très difficile pour Colette. Elle a essayé pour une vingtaine d'années, et c'est par chance plus que par méthode qu'elle a été capable de contacter la famille.

Pour les autres enfants qui recherchent leur famille, ne les faites pas aller à travers ce que Colette a dû faire pour nous trouver, notre famille.

1100

The Acting Speaker: Member for Riverdale, you have two minutes.

Ms Churley: I'm going to read a paragraph of the letter I received from an adoptive father. He says:

"We believe if our children are loved and cared for, we do not have to be afraid of their searching, for these reunions will only help them become more settled and become more satisfied human beings. Our love for our son and his love for us has not diminished since this reunion but only grown as his mind and heart are at peace. We pray that he will also have an opportunity at some time to meet his birth father as well."

I've received dozens and dozens of phone calls and letters like this.

I appreciate the comments from all of my colleagues. I appreciate the concerns that have been expressed. Mr Tilson, my heart goes out to anybody who had a bad experience in this kind of situation; however, I don't believe that can stop our quest for the right of every human being in this province to have information about themselves. Can you imagine, if you knew somebody had some secret information in a document about you and you couldn't get your hands on it?

I was going to ask for unanimous consent to move to third reading today. I understand I don't have it. I'm not going to ask for that. In the spirit of co-operation, I will just ask to move second reading today.

What I would like as a result is for every member here today, from both sides of the House, to support this bill and the need to move forward quickly. I would ask you to make it a priority in your caucus, a priority with your House leaders, so that we can all work together to make sure that the same thing doesn't happen this time as happened in our government, that the House is prorogued and the bill dies on the order paper. We cannot have that happen to these people again. I think you would agree with me on that. So I would ask you to support me in getting this through the House.

FAIR DISTRIBUTION OF MEDICAL RESOURCES ACT

LOI DE 1998

SUR LA DISTRIBUTION ÉQUITABLE DES RESSOURCES MÉDICALES

Mr Martiniuk moved second reading of the following bill:

Bill 95, An Act to provide for the fair distribution of medical resources in Ontario / Projet de loi 95, Loi assurant la distribution équitable des ressources médicales en Ontario.

The Acting Speaker (Mr Gilles E. Morin): Pursuant to standing order 95(c)(i), you have 10 minutes for your presentation.

Mr Gerry Martiniuk (Cambridge): Close to 15,000 men, women and children in my riding of Cambridge are presently without a family doctor. I have heard from many retired residents and families with small children who, of necessity, have to take medical concerns to the emergency ward, an expensive and unsatisfactory solution for any family.

We are seeing urgent care centres and walk-in clinics opening across this province. They provide excellent service to the community; however, they do not replace a family doctor.

Ontario residents want to be treated by a doctor who knows their history, who understand their problems and concerns. To me, the father of four children, not having a family physician creates unnecessary stress on the family and our children and in no way assists the health of our residents.

This problem has existed for a long time and has been aggravated by the substantial growth of the population during the past decade. My community of Cambridge is one of the fastest-growing communities in Canada. Over 10,000 new residents have moved to Cambridge over the past four years. Many cities in Ontario are growing just as rapidly. We must plan for the future to be sure that our medical resources are distributed where needed. We plan for new roads, commercial development, city services and upgrades years in advance. Why should medical resources be any different? A family doctor is a necessity and should be treated as such.

The Globe and Mail reported in April 1998 that there was a crisis brewing, in that we have restricted the number of students entering medical schools in Ontario. This will result in shortages across our country without some major change.

Changes are needed. We must recognize that many family doctors are handling twice as many cases as they should. They are doing all they can. This is a problem that must be addressed now.

Many people might ask why a doctor would not want to set up a practice in a city like Cambridge. Cambridge has a first-class medical hospital. Cambridge has a unique and beautiful setting on the heritage Grand River. We have a powerful industrial base, including Toyota, Babcock and Wilcox and Allen-Bradley, to name a few. We are only 100 kilometres west of Toronto on the 401, part of the historic region of Waterloo, just minutes away from Kitchener-Waterloo and Guelph, the location of three universities and other excellent facilities.

Within the past few days Minister Witmer has awarded the region of Waterloo a new cardiac and cancer centre. We have received approval for an MRI and major upgrades to our local hospitals. Cambridge hospital has received during the last three years some additional \$10 million. In addition, we have just authorized 300 new long-term-care beds for Waterloo region.

Families in Waterloo region are finally getting their fair share of health services. This government has delivered on its promise to renew the health care system. The government has delivered for the people of Cambridge and Waterloo region.

We are a prosperous and caring community. One of the many rewards of my job is to meet so many volunteers who make our city so outstanding, but our present and our future are clouded by the lack of family physicians.

Some two years ago, I initiated a task force on doctors in partnership with the Cambridge Memorial Hospital, Mayor Jane Brewer and the council of the city of Cambridge, and representatives for local doctors: Dr Ashton, Dr Crosby and the chief of medical staff, Dr David McLeod.

The task force started a communication program advertising our needs and providing a presence at various physicians' trade shows and conventions. As a task force we applied for an underserved designation and received that designation over a year ago.

Our efforts have been rewarded in the recruitment of six new family physicians, and there is no doubt that this success would not have been possible without the partnership of all concerned, but during the same period we lost five family doctors to retirement and other factors, while the rate of population growth accelerated.

My proposed bill would result in a more equitable distribution of doctors throughout our province.

Ninety per cent of the population that is underserved live in southern Ontario. As a benchmark, Metro Toronto has 10 doctors for every 10,000 population. Cambridge and Waterloo region on the other hand have only 5.89; Durham, 5.97; Essex, 6.2; Simcoe, 6.92. Oxford county needs 33 family physicians immediately; Elgin, 26; Kent, 32; Huron, nine; Perth, 12.

The negotiations with the Ontario Medical Association resulted in an OHIP penalty discount for settling in over-served areas. I recall discussions with the representatives who believed this step would solve the problem. It has not to date, and the inequity continues.

Let me tell you about the bill and how it works. I should start by telling you what it does not do. It does not require one red cent of additional spending by the government and therefore does not detract from present health programs. It does not affect doctors presently practising or students presently enrolled in medical schools in Ontario. It does not prohibit, and I'd like to emphasize that, the mobility of graduating doctors. They are still free to practise where they choose, but under the bill there could be financial penalties.

1110

The bill provides simply that a medical student entering the first year of a medical school would sign an agreement with the crown to practise in certain underserved areas designated by the Minister of Health for a term of years. Upon graduation the new doctor has a choice: abide by the contract they have signed or breach the contract and pay back to the government the subsidy of his or her education.

I estimate the yearly subsidy per medical student is \$16,000 for a total of \$64,000 for a four-year course. A resident in Ontario applying to the University of Toronto medical school would pay \$4,844 in tuition for each year. That was in 1997-98. An international non-resident

student would pay \$21,000 for the same course, the same four years. The difference is \$16,000, which I say approximates the actual cost of the subsidy.

If the student leaves the province after graduation, that subsidy of \$64,000 is lost irretrievably. Even if that student practises in an overserved area in the province, that subsidy, in my opinion, is lost as the services are not fulfilling the real need of persons seeking a family physician.

I do not profess that this bill solves the whole problem or for the long term. It is only an additional tool for underserved areas to meet this urgent need. On behalf of families who need a family physician, I hope all members will support this bill.

Mr Sean G. Conway (Renfrew North): I appreciate the opportunity this morning to speak to second reading of Bill 95. Let me say at the outset that I appreciate, perhaps more than most people, the growing frustration on all parts, in this Legislature and in the province beyond, about the worsening situation with respect to the distribution of medical personnel.

I can tell you that it has been a point of contention for as long as I've been here and the situation appears to be getting worse, not better. To that extent, I appreciate my colleague from Cambridge bringing the issue forward.

I don't think there's a member outside of the major urban areas — in fact, including some in major urban areas — who does not share the concern and the frustration. I can tell you that in communities in my area, communities as large as Pembroke and as small as Beachburg and Whitney and Barry's Bay and Eganville, this is a real and ongoing concern. To be ecumenical about it, it's been a concern for some considerable time.

Is there a problem? Absolutely. Is the problem getting worse? Yes. Does Bill 95 provide a mechanism to improve the situation? I'm sorry to say that in my considered opinion, it does not, and therefore I do not support the principles of Bill 95.

I don't have a great deal of time this morning, but I have in my hand today a letter from a constituent of mine, Dr Ian Park, who is the chair of the rural section of the Ontario Medical Association. Ian Park is a young practitioner of medicine up in the village of Whitney in south Algonquin, which is in the most southwesterly part of my constituency. Dr Park is walking this walk. He provides medical services to many of my constituents in the Whitney-Barry's Bay area, so he ought to know.

He writes me, both in his capacity as a local physician and as president of the rural section of the OMA, and he says he strongly objects to Bill 95.

Why? Firstly, he says it will "stigmatize medical practice in rural areas." Secondly, quoting his letter to me: "it virtually guarantees the institutionalization of the 'revolving door' situation so many rural and underserved communities face. As a rural physician, I do not want colleagues by my side who are there under this extremely coercive measure. These physicians, most of whom will have limited training for rural conditions, will be working under duress, hating every minute of it, and will leave the rural areas, and often enough the province, as soon as they

can. This is the worst possible scenario: Just ask municipal leaders in northern and rural areas — many will tell you that no physician may be preferable to a new one every six or 12 months.”

We have, from people like Dr Park, very compelling evidence, based on their experience that however good the intentions of my honourable friend from Cambridge are, this mechanism, coercive and draconian as it appears to be, will not solve the problem. Surely, some of us who are rather senior in our experience here have got to, from our point of view, try to find remedies that will actually solve the problem. Is there a problem? Yes. But let us not, as Dr Park said, aggravate and worsen the very conditions we're trying to fix.

Having said that, I want to draw to the attention of the House a report received just this week by all members, a report jointly from the Ontario section of the Society of Rural Physicians of Canada and PAIRO, the Professional Association of Internes and Residents of Ontario, a report called *From Education to Sustainability*.

All of my colleagues ought to read this because these people, who have studied this far more intensively than I have, make it plain; they tell us a number of things. First and foremost, they say, “Coercive measures like Bill 95 will not work.” What we need, if we are going to address the situation in communities like Eganville and Beachburg and Whitney and increasingly in places, incredibly, like Waterloo region and the city of Windsor, we are told by these people that we've got to have a comprehensive and integrated program, that we've got to deal with medical education, not just at the faculty level but at the pre-service level. We've got to get into the high schools and do a far better job of counselling and mentoring young people about the opportunities and the exciting times that are to be had in rural and remote communities.

We find out from this report, for example, that “In the United States” —

Interjection.

Mr Conway: Well, I'm only citing from the evidence of this group of experts. Let me read from page 13 of the report: “In the United States, 12 out of 126 medical schools produce 25% of the nation's practising rural physicians.” Why? Because they have very dedicated programs that target the problem in a comprehensive and integrated way.

I will take my seat and leave some time for my colleagues from Timiskaming and York South, who will make their own arguments. But I feel very strongly that Bill 95, however well intentioned, will worsen, not improve a problem that clearly has to be addressed.

Mrs Marion Boyd (London Centre): Certainly, everyone in this House recognizes that there is a serious problem around the provision of primary care in this province. I come from the southwest part of the province, like the mover of the bill, and I can tell you that, increasingly, community after community is experiencing a shortage of doctors brought about by the demographic trends both within the physician community and then within the broader community.

There are areas that used to have no difficulty maintaining an adequate servicing by family physicians that now find themselves, as the result of retirement and as the result of physicians moving to other jurisdictions, having real difficulty finding a family physician not only for people who move into the area but for people who have lived there for a long time and whose physician suddenly leaves. That problem is causing communities all over the province to petition the Minister of Health to include them in the underserved designations. I was at a talk in the Niagara region, in Welland, the other night and was urged by people in that community to speak about their need to be designated as an underserved community.

There are also underserved specialties across the province where you cannot find primary care physicians to deal with people with specific problems. The area of AIDS, for example, is a very serious area of practice which requires a lot of primary care. It is difficult to attract physicians into that very difficult area of practice. Psychiatry is another, and anaesthesiology is a similar kind of an issue. Those are things that must be addressed.

What strikes me about the member's bill is that it carries on this government's belief that you can bully people into doing the right thing, that you can come up with a simplistic, one-size-fits-all solution that coerces and forces people into providing services that have not been provided in the past. Quite frankly, it is a bill that supposes this is a simple problem that can be dealt with by simplistic means, and it is not.

1120

My colleague from Renfrew North mentioned this very fine report, subtitled *A Blueprint for Addressing Physician Recruitment and Retention in Rural and Remote Ontario*, which came out only this week. It has thoroughly looked at the whole continuum from the beginning of education through to the full practice of medicine and the encouragement of retention in the full practice of medicine in remote and rural areas.

It talks about the need for us to integrate our policies in education, our policies at the community level, our encouragement, our support for physicians. It encourages us to look at physicians as people who have family responsibilities and whose needs need to be taken into account. It talks about the burnout of physicians who are either sole practitioners or practising with one or two other physicians and who find themselves on call every night and every weekend, unable to enjoy any kind of quality of life, unable to pursue the continuing education which their own profession requires, because they are trying to service a population. That burnout is a huge factor in people leaving the province.

This government, as is very typical, thinks that you can bludgeon people into staying in the province of Ontario and providing adequate medical services when, frankly, coercion will not work. This is a problem that has existed for a long time. Different methodologies have been tried. It is quite clear that we have to be more effective than we have been in the past. But I would suggest that there are positive incentives that can be put forward by governments at the provincial level and at the municipal level, by

communities, integrated approaches to this problem that are going to make it possible for people to be attracted. Quite frankly, there are some elements of this member's idea that could be put in a positive way and brought forward.

I want to say to the member that I personally am deeply offended by the letter he sent to all members about this bill. I will read to you the third paragraph of that letter and then I will read the bill, and people can judge for themselves whether this member was trying to tell us he was doing something that was different from what the bill actually says. This is dated December 8, and it is from the member who brought forward this bill, third paragraph:

"This bill provides a framework whereby the Ontario government may offer a reimbursement to medical students for university tuition costs. In exchange, the student is required to sign a 'return for service' agreement with the government. The bill also provides for students wishing to appeal the mandatory agreement. Graduating students may choose to practise in overserviced areas or outside Canada; however, they will be required to repay the full cost of tuition as subsidized by the Ontario taxpayer."

Let me read the bill.

"Her Majesty, by and with the advice and consent of the Legislative Assembly of the province of Ontario, enacts as follows:

"1(1) No Canadian resident may enrol in a faculty of medicine in Ontario unless the person has entered into a contract with the crown agreeing to,

"(a) become qualified to practise medicine in Ontario within a period specified in the contract; and

"(b) after becoming qualified, practise medicine in an area of Ontario designated by the Minister of Health for a period specified in the contract.

"(2) It is a term of every contract described in subsection (1) that, in the event of default by the Canadian resident, the amount of the cost of his or her medical education that the crown has paid or subsidized, as determined by the Minister of Health, immediately becomes a debt owing to the crown."

Now you're waiting for the appeal clause. There is no appeal clause. It goes on to say:

"This act comes into force on the day it receives royal assent.

"The short title of this act is the Fair Distribution of Medical Resources Act, 1998."

There is no appeal mechanism. The member told us there was. There is no appeal mechanism in this bill at all, a fundamental flouting of the rights of individuals when their freedom is being curtailed by a bill like this.

Number two, the member talks about this as a way — and I really am so offended. "This bill provides a framework whereby the Ontario government may offer reimbursement to medical students for university tuition costs"? That's not what this does. This requires an indenture. It requires a medical student who wishes to study at an Ontario medical university to indenture himself or herself for an unspecified period of years at the behest

of the Minister of Health, with absolutely no way to negotiate the conditions of that contract and no appeal against that contract.

It's passing strange that we would be talking about a bill like this on the very day that we're celebrating the human rights declaration of the United Nations. This government has absolutely ignored the rights of many citizens. It's forbidden welfare recipients their right under the UN declaration to join a trade union. It has consistently regarded human rights as not their priority. It is very interesting that on this very day we're talking about indenturing anyone who wants to study medicine in Ontario without appeal, without any way of having any negotiation about conditions.

This will not resolve the problem. Had the member come across with a bill that in fact gave medical students who volunteered, who wished, who were concerned about access, the ability to sign a contract, if they so chose, to have the amount of their student loans forgiven in return for serving for a certain period of time, if there were a voluntary component to this, it would not be as offensive. It is still coercive in some ways because of course access is very important.

The member also misled the people on this because he talked about the tuition at medical schools as being \$4,800 a year in 1996-97 or 1997-98; I can't remember the date he used. The reality is that this government has absolutely deregulated the fees for professional students, including medical students, in this province. The cost of tuition for those students is skyrocketing. It is assumed that the student's part of that tuition, by the time this deregulation takes place, will probably put them in debt to the tune of \$75,000 to \$100,000 of student loans by the time they finish medical studies. If the member had said that what he was doing was giving the government a mechanism to forgive some of those loans on a voluntary basis, he might actually have had a point.

I am absolutely opposed to this coercive bill. It will not achieve what the member wants to achieve, what all of us want to achieve. I would say to him that this simplistic bully-boy tactic is very typical of this government and is designed to try and convince people that there are simple answers to very complex problems.

Mr Gary L. Leadston (Kitchener-Wilmot): Today I have the privilege to rise and speak on behalf of my colleague Gerry Martiniuk, the member for Cambridge, on his private member's bill entitled the Fair Distribution of Medical Resources Act, 1998.

As the Legislature is aware, this bill addresses the severe shortage of family doctors across Ontario. It also addresses the shortage of doctors in my own riding of Kitchener-Wilmot and areas designated as underserved by the Ministry of Health. With this bill we will ensure the fair and equitable distribution of physician services across all Ontario.

Many communities in Ontario are in need of a family physician. This bill provides a very practical solution to a historical problem. It will still allow the best and the brightest students in Ontario to continue their attendance

at medical school and to serve this province. With much of rural Ontario quickly becoming a high-growth area, Ontario families deserve to have a family doctor close to home. Doctors should practise where they are needed and not just in large urban areas such as Toronto, Hamilton and Ottawa.

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I believe that we can no longer train doctors for the United States or other parts of the world. This is not acceptable. Ontario's population is rapidly changing. In the next 10 years we will experience the greatest increase in the population of seniors in our history. We must be prepared to respond effectively and efficiently to the health needs of the people of this province.

Dr Ken Babey, secretary of the Society for Rural Physicians of Canada, stated, "Rural and small-town populations continue to increase in size, 10% in total since 1988, yet the number of doctors serving rural communities continues to decrease despite the efforts that have been put into place."

A recently released report, prepared by leading physicians of the Ontario Medical Association and the Society of Rural Physicians of Canada, stated that since 1994 the number of doctors in rural areas has declined by 10% and fewer are providing obstetrics and anaesthetic services in their communities. In addition to northern areas, the doctor shortage also plays a major role in southern Ontario. As baby boomers move to the country, the strain on doctors and problems of residents trying to find a family doctor are of grave concern.

Fewer and fewer young surgeons are inclined to go into general surgery as the subspecialties have become more attractive. I believe Mr Martiniuk's private member's bill would change the situation. Through entering into this voluntary contract between the student and the government, it will allow students who wish to practise medicine in Ontario the opportunity to continue to receive full funding for their medical training.

At present, the government has been very active in helping communities recruit family physicians. The Ministry of Health's underserved area designation works with communities to form recruiting partnerships. This program pays for the travel expenses for possible recruitments to visit the community and invites interested parties to the medical graduate recruitment tour at Ontario universities. Programs such as these emphasize community involvement and grant up to \$15,000 per new doctor after one year of recruiting effort.

In addition, on Friday, December 4, the Honourable Elizabeth Witmer, Minister of Health, along with myself and my colleagues, announced in Waterloo region the government's multi-year plan that will bring specialized cardiac services closer to home. This includes two new full-service cardiac care centres in the areas of Waterloo, Wellington and York-Simcoe which will provide cardiac surgery, cardiac catheterization, coronary angioplasty, coronary stents and pacemaker services.

Our government has invested in new chronic care beds and community services in Waterloo region. We have

spent more than \$55 million on health services in Waterloo region since 1995.

We have had considerable success in the area of health care across Ontario. The Ministry of Health has launched many initiatives to improve the quality of health services that the people of our province enjoy.

I have stated the above to show that the Ontario government and the Minister of Health have invested in Ontario and the health care system. It is time our doctors, both young and old, were given the opportunity to demonstrate the same commitment in looking after the diverse needs of Ontario's population, wherever they may reside. Through Mr Martiniuk's bill, he has made it possible for our young physicians to practise medicine where it is needed the most. He has shown that this practice of entering into a partnership is not new to Canada and is successfully practised in other provinces.

I'm happy to support my colleague from Cambridge in his private member's bill.

Mr David Ramsay (Timiskaming): I'm pleased to rise today to speak to this bill. I have the utmost respect for the member for Cambridge. I know him and have worked with him in committee and have spoken to him on this common problem that we share in both of our constituencies. I would say to the member that this is a desperate measure, for sure, for a very desperate situation. As I said to the member earlier this morning, I am going to support this bill but with great reservations, because it does smack against the philosophy that I've always brought to this problem, that we should always bring incentives using the carrot rather than the stick.

I do accept that this is very coercive, regardless of how some people are trying to sugar-coat this. It is a very coercive bill, there's no doubt about it. I will support it at second reading in order to further the debate and to put some pressure on this government to bring in the proper incentive programs that they should bring in for midsized communities that find themselves underserved.

Last week I stood in my place here and asked a question of the Minister of Health as to why she was not developing incentive programs for communities that have more than seven doctors. The ministry has developed programs of salary and benefits that are great incentives for those communities that have between one and seven doctors. What is happening now, with this uneven incentive program, is that communities such as Kirkland Lake and New Liskeard in the Tritown area are losing doctors to some of these smaller communities because the incentive package is more attractive for some of these other areas. While I understand the chronic problems of very small communities that are serviced by under seven doctors, midsize communities throughout the province also have a big problem, as has been stated by past speakers.

There needs to be a development of similar but not the same incentives. What I mean by that is that young doctors coming out of medical school find that a salary and benefits package is more attractive than the old fee-for-service system. What we need to do is develop a less rich salary and benefits package for those medium-sized

towns that find themselves underserved so that we can still keep the doctors in the very small communities where the burnout cycle happens very quickly if one or two leave. That is a big problem, and it can sometimes leave a community without a doctor and that's absolutely a crisis.

In the community I represent, Kirkland Lake, 40% of the people do not have a doctor today. To me, that's a crisis. When I hear about a terminally ill cancer patient waiting for her medicine in a waiting room in the hospital because she needs to see a doctor for the administration of the medicine or to get a prescription refill, that's wrong. That's not acceptable in Ontario.

This is very desperate, but maybe it's at least starting to bring this problem to a head, because it is a crisis. If the OMA and the Ministry of Health cannot work this out, then maybe we need to go to desperate measures like this for the desperate situation we find ourselves in in Ontario.

I think doctors should understand that the practice of health is a public service; it's not an entrepreneurial operation. It is a public service like many other occupations are in this province. Like the Peace Corps, there is a need for all of this province to be serviced and maybe we need some sort of program to say, "Upon being granted this education — I know you work hard at it, but there are great subsidies for it — you need to go into the other parts of this province and give some of your time to those desperately underserved areas."

My colleague from Renfrew North, in quoting from a letter, said you're just going to get a revolving door. Quite frankly, I'd rather have a revolving door of doctors in my community than no doctor at all, and I'm sure that's what the majority of my constituents believe also.

Mr Marcel Beaubien (Lambton): It certainly is a pleasure for me to rise in the House today to speak on Bill 95, the Fair Distribution of Medical Resources Act, 1998. I commend the member for Cambridge for introducing this bill in the House.

First of all, let me assure you that I feel the bill is not perfect, but I don't think there is any perfect bill that is ever introduced in this House. However, I also feel strongly, like the member for Timiskaming, that rural people in Ontario deserve accessibility to health care just like people in urban Ontario have. In the past we have seen this as a major, chronic problem, that we are underserved. It is not acceptable. We have to change the way we do things, especially when it comes to medical services.

Will Bill 95 address all the concerns? Of course it will not; however, I think it's a good start. We have to rethink how we are providing health care services in rural Ontario. The member for Timiskaming talked about burnout and the lack of medical practitioners. One major occurrence in rural Ontario is the retention problems we have in maintaining the doctors who are in the community. Why is that? One of the major reasons we have a retention problem is that there is no backup.

I experienced the closure of an emergency this past summer where my community was without 24-hour emergency care for six weeks. Is this acceptable? Of course not.

1140

What did this government do? This government, along with the hospital board of the community, decided they would try to resolve the problem by negotiating with Medemerg, PAIRO and other medical providers in the community. Guess what? At the end of the day, we did find a resolution to the problem. Is it a permanent fix? Probably not. However, somewhere, somehow, we have to start the process.

I realize that not only rural Ontario is having some difficulty; northern Ontario has experienced that same problem. But if we look at the initiatives this government has taken in the past number of years, I think the northern Ontario problem, although not resolved, may not be as bad or to the magnitude that we are experiencing in southwestern Ontario.

If we look at a recent news article that appeared in the London Free Press — for the member for London Centre — on April 17, 1997, it says, "Lambton, Oxford and Elgin counties ranked 44th, 45th and 46th, respectively, out of 49 counties in Ontario." If you live in southwestern Ontario, it's not a bad place to live. Why is it that we are having difficulty attracting and retaining medical practitioners? We're not having any difficulty attracting and retaining dentists, chiropractors and other medical practitioners.

I should point out to the member for London Centre that I did have the opportunity of working in the health care field in your community a number of years ago, in the 1960s. It shows how old I am, and maybe not so wise. We did have some problems in the 1960s. Consequently, it is not a problem that has occurred in the past three or four years.

I know the member for London Centre has difficulty in supporting anything this government or members of this government bring to the fore. However, as I pointed out, Bill 95 certainly is not perfect, but I think once we combine it with other initiatives that this government has taken with regard to meeting the needs of the underserved areas in rural Ontario, that will go a long way towards making sure that the people of rural Ontario receive a decent level of primary health care.

We have to also look at the fact that PAIRO, the Professional Association of Internes and Residents of Ontario, as you pointed out, did come up with a very good report. I think they understand the chronic problem and the difficulties that rural Ontario has experienced in the past number of years. However, how much co-operation have they received from the Ontario Medical Association in trying to address this particular problem? I'll leave that question with you.

Mrs Boyd: So they should bear the whole brunt of it, then.

The Acting Speaker: Member for London Centre.

Mr Beaubien: Another point that hasn't been brought up today is, what about the role of the nurse practitioner in providing primary health care in Ontario? What is wrong with that? Consequently, as legislators, as responsible citizens, as representatives of this province, I think we

have to make sure that we have a decent level of primary health care in the province.

I agree that Bill 95 is not perfect but I think it will go a long way towards trying to address the problem we are experiencing in rural Ontario, and I commend the member for Cambridge for introducing that bill.

Mr Gerard Kennedy (York South): It is with some pleasure that we get an opportunity here today to talk about one of the main problems this government has created in terms of health care. I want to commend the member for at least one element of his bill today, which is to condemn his own government, because it's the only way we can understand what is in this bill. We're being told that physicians have to be forced to go to communities, that this government at this late stage in its mandate has done nothing to improve the central tenet of medicare, which is to make sure people have access to medical care.

We look at the checklist of what has happened. In rural areas, where the population has grown by 10%, the supply of doctors has dropped by 10%.

Interjections.

The Acting Speaker: Order. The member for Perth.

Mr Kennedy: That's what's happened under Mike Harris and that's what the member for Cambridge seems to be telling us.

Not only is it a question of new doctors; doctors are leaving the province in record numbers under Mike Harris. Why are they doing that? The clues to that are there in front of us, and what we have to contest with this member is what he has said about his own area. To be oblivious to the idea, as each of the members opposite surely can't afford to be, they're creating a climate where it is more difficult and in some cases impossible for physicians to practise medicine.

Let's just look at the Kitchener-Waterloo region. How much money has been taken out?

Mr Wayne Wettlaufer (Kitchener): Yes, let's look at the Kitchener-Waterloo region.

The Acting Speaker: Member for Kitchener.

Mr Kennedy: Over \$16 million has been removed from local hospitals; \$4.3 million net from the Cambridge hospital alone is gone.

Interjection.

The Acting Speaker: Member for Niagara Falls, you're not in your seat.

Mr Kennedy: It has led to waiting lists, to denial of access to surgery, to the cancellation of surgery. Look at that whole region. It's still proposed by this government, of which the proposer and the endorser of this bill is a member, to remove not only \$14 million but a further \$24 million in services — cut, taken away, removed from that area.

Is that going to help physicians practise in those communities? Is that what's going to uphold medicare? It's not. While I commend the member for raising this issue, we are looking at a government that has stripped down the capacity of this province to provide health care. I would invite this member to show us what I believe is his sincer-

ity on this issue by joining with me in condemning this government for cutting \$24 million further from the medical services that are available in his region, that he would do that today to ensure that doesn't happen the day after an election should this government, in that speculative way, be returned.

Let's look at what the member has talked about. The member is saying to us, and I agree with this, we have a crisis in terms of the access to physicians. The member is saying the solution to that is to respond in five to eight years, to wait five to eight years for some people who have signed contracts to come through the system, who will then be made available to the system. That's what he's saying.

And he's saying about his own community of Cambridge, not a rural area — and let's remember that under this government in the last year 30 additional, brand-new communities have been designated as underserved because of the dereliction by this government.

This government signed an agreement with the OMA, with doctors in this province, in 1996, and in that agreement they promised to address this problem by spending some \$40-million-plus a year. We stand almost two years away from the signing of that agreement, and we find that this government has spent less than \$3 million or \$4 million of the promised funds, which by now would have been \$100 million, recognized at that time by this government. So we appreciate that what the member does in raising the bill today is to condemn his own government for not having done what it promised the rural and remote communities of this province it would do and it has failed to do.

Each of the members who speaks in support of this bill, I presume, subscribes to that view. They do not believe their own government. They do not believe that their own government will provide any other response and that the only thing that will possibly address things is to force people to go to lovely communities, to communities that offer tremendous quality of life, like Cambridge, to compel them to go there in five to eight years. That, we're meant to believe, is the response required by this House. That is the best ingenuity that we can see from members who represent desperate people getting services, not just in rural communities but in communities like Cambridge and Kitchener-Waterloo and Windsor, going to emergency rooms, waiting for eight hours for basic medical care because this government has failed to provide any alternatives.

I appreciate this is a private member's bill, done in good faith, but we have to understand that some of its attraction to the members opposite is that it follows the sad approach of many initiatives of this government, which is to prey on the very real frustrations that people have, to attack someone, to attack and divide; to also provide no real solution. Five to eight years is too long to wait. There are solutions available.

In terms of what this government could be doing, they know that alternative payment options would get doctors in communities today. They know that better education,

getting more doctors educated in the communities that are missing doctors, would solve that problem this year, not five years from now. They know also that if they were able to get area residents in contact with some of the people at an early stage in their education, that would work.

The reality this bill ignores is that half of the doctors today are women. They have families that need to fit into communities.

There needs to be a response to this problem, but most of all, if we're going to deal with the crisis of physician access, we need a government that is determined to live up to one simple thing: access to a doctor or primary care no matter where you live in this province. This bill won't do that.

1150

Mr Doug Galt (Northumberland): My compliments to the member for Cambridge for thinking outside of the box, the traditional way of looking at how we get physicians into underserved areas. Certainly we've talked with physicians. Not only have the previous two governments talked to them, but our government prior to that talked to them about getting an even distribution in Ontario, bringing equality of services.

I think it's most unfortunate that both of the opposition parties would take a partisan position on this and condemn this particular private member's bill when, and I'm not saying it's a perfect bill by any means, some value added would be more in order.

As the member opposite mentioned, we could also talk about veterinarians. How about dentists? Maybe that's a way of getting them into underserved areas. But if you look at dentists and veterinarians, most underserved areas are already being looked after. If you want to know why, have a check in the Fraser Forum, November issue, the article called, "In Case of Hernia, Dress as a Cat." Maybe you'll understand why the services from veterinarians do look after all areas and there is equality; there's no monopoly there.

One of the problems we have is distribution. In the article on April 17, 1997, they point out Middlesex county, where there is a teaching hospital at the University of Western Ontario, where graduates like to stay. The need for that community is 374; they had an oversupply at that time of 170. I can understand why. In the past I thought it was a privilege to have hospital admitting privileges, but in rural Ontario it's not a privilege; it's rather a labour that is laid upon them which they really would prefer not to have. They'd rather be in their office running people through and getting the office calls. It's been a real frustration in my riding of Northumberland.

Back in 1994 there was a big feature article in the Toronto Star about lack of physician services both in Brighton and in Campbellford. Right now my understanding is that Brighton is reasonably well served while Campbellford is still extremely underserved. It hasn't been designated as an underserved area, but it really should be. I can't think of a prettier community on the Trent River, with the Trent River going right through it.

It's a place that every physician in this country, literally, would like to retire to. It's one of the most picturesque communities that you'd ever come across. But yet to go and serve in that hospital and have hospital admitting "privileges" is not advantageous to physicians.

They would much rather be in Toronto and the big centres where there's academia, at teaching hospitals. That does have an attraction to any physician, anyone who has graduated from a university. There's a draw there. That's happening with Kingston, Toronto, London, Hamilton and so on.

The other area that bothers me very much is to see the figures on the use of tests. In Toronto, the cost for tests is approximately \$50 per person, whereas in rural Ontario it runs more around \$26, \$27, \$28, another inequity. Is that brought about by the number of physicians in the overserved versus the underserved areas? I don't know for sure but one would have to suspect.

Anyway, I certainly commend the member for Cambridge for looking outside of the box.

Mr Gilles Bisson (Cochrane South): I've got to say I'm astounded at the bill that the member has brought forward in the present form that he has given us. I thought I had seen a lot of things from the Conservative government, but never did I think I would see a bill written quite the way this one is.

In effect, what this bill says is that if you choose to become a doctor in the future, should this bill pass, you would be indentured; you would be a slave to the government of Ontario. You would not be able to get into one of our universities unless you signed a contract with the government and then fulfilled the terms of the contract that you signed. I don't know where that is done anywhere in the free world. It certainly is not something that I stand for as a New Democrat, that should be done here in the province of Ontario.

If the member had brought forward a bill that said, "We are going to put in place a mechanism that will allow you to choose, should you so desire, to practise in an underserved community at the end of your training, and you can have your tuition fee either paid for or partly subsidized by way of some kind of contract," I'd be more than prepared to support that kind of legislation. Many people who are studying in medicine would probably support that. A lot of people in underserved areas would support that.

But that's not what this bill does. This bill says: "You want to be a doctor in Ontario? Step up and sign on the dotted line, my friend, because that's the only way you're going to get into a university in Ontario. And by the way, once you've signed that agreement, you're beholden to us, the province of Ontario, and you can't do a tinker's damn about it because we'll make this legislatively so that every person in Ontario forthwith, after this bill is passed, who wants to become a doctor in the universities of Ontario will have no choice but to sign this contract and be indentured to the province of Ontario."

That is not what democracy is about. That is not what good education is about. This is what dictatorships are

made of and this is not beholden of the values that the people of Ontario believe in.

I say again, if the member had brought forward a bill that said, "We will make it possible for people to choose," then so be it. What really disturbs me is that that member sent me and a whole bunch of other members in this assembly a letter which said quite the opposite of what the bill says. I was prepared to come into this House and support it based on the letter that I saw from this member that said, "The bill allows you to choose and then allows you to negotiate and then allows you to have an appeal to get out should you want to get out of your contractual agreement with the province of Ontario." I said to one of the Conservative members this morning, "On that basis, I will listen to the debate, and I will make up my mind based on the debate."

It is clear that this member, when he sent that letter, misled me and misled every member in this assembly by way of his letter —

The Acting Speaker: Order. Take your seat. I guess you realize the word that you used. I want you to withdraw it, with no comments.

Mr Bisson: Mr Speaker, I withdraw the word.

I feel very strongly about this. We are all honourable members within this assembly but, I'll tell you, when a member of this assembly sends me a letter that says quite the opposite to what he put in his bill, I don't know what else to call it. I have to hope that the member would at least have the guts to stand up in this House and apologize for having sent a letter that quite frankly misled me and other people to believe that this bill —

The Acting Speaker: Twice in a row. I won't accept that. You're playing with the procedures. I want you to withdraw it, and if you don't, I'll make sure that I will name you. Stand up and withdraw.

Mr Bisson: Withdrawn, Speaker.

The Acting Speaker: Mr Martiniuk, you have two minutes to reply.

Mr Martiniuk: I only have two minutes and there's much to cover.

I would like to thank the member for Renfrew North, who spoke against the bill but provided no alternatives.

The member for London Centre is protecting her constituency. It's parochial. She is being overserved and it's all cosy and she's protecting her little nest. I understand that. However, it's time we in this House started to look at the province as a whole. These are desperate times in my riding. I have 15,000 people who are not serviced by a family physician and I put it to the member for London Centre: Look at my people. Don't just try to feather your nest.

Mr Bisson: We are looking at your people. That's why we're going to vote against this bill, you moron.

Mr Martiniuk: The member for Cochrane South is the member for Cochrane South.

I'd like to thank the member for Northumberland, the member for York South and the member for Kitchener-Wilmot for their comments. I hope I can seek your support in regard to this bill.

The Acting Speaker: The time provided for private members' business has expired.

ADOPTION DISCLOSURE STATUTE LAW AMENDMENT ACT, 1998

LOI DE 1998 MODIFIANT DES LOIS EN CE QUI CONCERNE LA DIVULGATION DE RENSEIGNEMENTS SUR LES ADOPTIONS

The Acting Speaker (Mr Gilles E. Morin): We will deal first with ballot item number 37, standing in the name of Ms Churley / Projet de loi 38, Loi révisant des lois en ce qui concerne les associations condominales, modifiant la Loi sur le régime de garanties des logements neufs de l'Ontario et apportant d'autres modifications connexes.

Ms Churley has moved second reading of Bill 88. Shall the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Interjection: The ayes were a little bit louder, Mr Speaker.

The Acting Speaker: Thank you. That's it.

FAIR DISTRIBUTION OF MEDICAL RESOURCES ACT

The Acting Speaker (Mr Gilles E. Morin): We will now deal with ballot item number 38. Mr Martiniuk has moved second reading of Bill 95. Shall the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The divisions bells rang from 1201 to 1206.

ADOPTION DISCLOSURE STATUTE LAW AMENDMENT ACT, 1998

LOI DE 1998 MODIFIANT DES LOIS EN CE QUI CONCERNE LA DIVULGATION DE RENSEIGNEMENTS SUR LES ADOPTIONS

The Acting Speaker (Mr Gilles E. Morin): All those in favour of the motion will please rise and remain standing until your names are called.

Ayes

Agostino, Dominic	Grandmaître, Bernard	Ouellette, Jerry J.
Arnott, Ted	Grimmett, Bill	Parker, John L.
Baird, John R.	Hastings, John	Patten, Richard
Barrett, Toby	Hoy, Pat	Pettit, Trevor
Beaubien, Marcel	Jordan, W. Leo	Phillips, Gerry
Bisson, Gilles	Kennedy, Gerard	Pouliot, Gilles
Boushy, Dave	Klees, Frank	Ramsay, David
Boyd, Marion	Kormos, Peter	Rollins, E.J. Douglas
Brown, Michael A.	Lalonde, Jean-Marc	Ruprecht, Tony
Christopherson, David	Lankin, Frances	Saunderson, William

Chudleigh, Ted
Churley, Marilyn
Conway, Sean G.
Cordiano, Joseph
Crozier, Bruce
Cullen, Alex
Duncan, Dwight
Ford, Douglas B.
Galt, Doug

Leadston, Gary L.
Lessard, Wayne
Marchese, Rosario
Martin, Tony
Martiniuk, Gerry
Munro, Julia
Mushinski, Marilyn
Newman, Dan
O'Toole, John

Sergio, Mario
Shea, Derwyn
Sheehan, Frank
Silipo, Tony
Stewart, R. Gary
Vankoughnet, Bill
Wettlaufer, Wayne
Wood, Bob
Young, Terence H.

The Acting Speaker: All those opposed will please rise and remain standing.

Nays

Bradley, James. J

Johnson, Bert

Tilson, David

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 57; the nays are 3.

The Acting Speaker: I declare the motion carried.

Pursuant to standing order 95(j), the bill is referred to the committee of the whole House.

Ms Marilyn Churley (Riverdale): Yes, I would like the bill referred to the committee of the whole House.

The Acting Speaker: Thank you.

Could you open the doors for 30 seconds, please. Thank you.

FAIR DISTRIBUTION OF MEDICAL RESOURCES ACT

LOI DE 1998

SUR LA DISTRIBUTION ÉQUITABLE DES RESSOURCES MÉDICALES

The Acting Speaker (Mr Gilles E. Morin): All those in favour of the motion will please rise and remain standing.

Ayes

Agostino, Dominic
Arnott, Ted
Baird, John R.
Barrett, Toby
Beaubien, Marcel
Boushy, Dave
Bradley, James J.
Chudleigh, Ted
Crozier, Bruce
Duncan, Dwight
Galt, Doug
Grimmett, Bill

Hastings, John
Hoy, Pat
Johnson, Bert
Jordan, W. Leo
Klees, Frank
Lalonde, Jean-Marc
Leadston, Gary L.
Martiniuk, Gerry
Maves, Bart
Munro, Julia
Mushinski, Marilyn
O'Toole, John

Ouellette, Jerry J.
Parker, John L.
Pettit, Trevor
Ramsay, David
Rollins, E.J. Douglas
Ruprecht, Tony
Saunderson, William
Sheehan, Frank
Stewart, R. Gary
Tilson, David
Vankoughnet, Bill
Wettlaufer, Wayne

The Acting Speaker: All those opposed will please rise and remain standing.

Nays

Bisson, Gilles
Boyd, Manon
Brown, Michael A.
Christopherson, David
Churley, Marilyn
Conway, Sean G.
Cordiano, Joseph
Cullen, Alex

Ford, Douglas B.
Grandmaître, Bernard
Kennedy, Gerard
Kormos, Peter
Lankin, Frances
Marchese, Rosario
Martin, Tony
Patten, Richard

Phillips, Gerry
Pouliot, Gilles
Sergio, Mario
Shea, Derwyn
Silipo, Tony
Wood, Bob
Young, Terence H.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 36; the nays are 23.

The Acting Speaker: I declare the motion carried.

Pursuant to standing order 95(j), the bill is referred to the committee of the whole House.

Mr Gerry Martiniuk (Cambridge): Could I request, Mr Speaker, that it be referred to the finance and economic affairs committee?

The Acting Speaker: All those in favour, please rise. All those opposed, please rise.

The majority is in favour. I believe you said —

Mr Martiniuk: Yes, finance and economic affairs.

The Acting Speaker: So be it.

All matters related to private members' public business having been debated, I will now leave the chair and the House will resume at 1:30 of the clock.

The House adjourned from 1214 to 1331.

MEMBERS' STATEMENTS

CARE WATCH

Mr Mario Sergio (Yorkview): I rise today to commend the Care Watch phoneline committee for its efforts in providing a phone line in Toronto whereby consumers, caregivers and others can anonymously call to express their concern on the quality of care being provided in the community-based health care system. Care Watch phoneline will turn over the information they receive from these calls, which may show gaps and inadequacies in services, to the Ministry of Health, the Toronto community care access centres and others.

All of us in this House have witnessed the chaos and crisis created by the Harris government's inadequate funding and cutbacks to health care in our province. It is a fact verified by a recent family physicians' study on home care which concluded that the funding level for home services is totally inadequate. The Ontario Nurses' Association has also been warning that home care services are being rationed or not provided at all.

Care Watch phoneline Toronto is truly helping patients with personal difficulties in the health care system. They are focused on helping patients who have been abandoned and have lost necessary homemaking and personal care services because of the government's refusal to provide enough funding.

What more evidence does this government need of the suffering it is imposing on the old and infirm, when a network of individual consumer organizations has to dedicate a phone line to advocate better service?

SCHOOL CLOSURES

Mr Peter Kormos (Welland-Thorold): Merritton High School in Merritton, the latest on the casualty list of this government's school closures, with a long history in a very distinct community and the focal point of that old community of Merritton, shut down; wiped off the face of

the map by this government's anti-education policies, this government's refusal to adequately fund public education and this government's disdain for quality publicly funded education notwithstanding the best efforts — and I commend the parents and the students of Merritton High School and members of the community who organized and rallied and appealed to the District School Board of Niagara.

The District School Board of Niagara had little choice in the matter. Don Reilly, the chair of that board, made it quite clear, made it very clear that it was this government's funding policies that forced the closure of Merritton High School.

But you can't blame the district board of education. You wish they had the resources that would have enabled them to keep Merritton High School open. It's Mike Harris and the Tory members of this Legislature who shut down Merritton High School, make no mistake about it.

The people of Merritton have every intention of holding those Tory members accountable, because not one of those Tory members stood up to speak out on behalf of Merritton High School, not one of them will stand up to speak out on behalf of neighbourhood schools and indeed of communities like Merritton that are being ravaged and slashed by this government's policies.

Merritton High School deserves to survive, and the defeat of this government is the only thing that will ensure that.

BRAMPTON FIREFIGHTERS

Mr Joseph Spina (Brampton North): It's with great pleasure today that I bring to this Legislature another world-class accomplishment of Brampton firefighters.

On November 8 of this year, the Brampton firefighters' combat challenge A team returned from Florida with yet another world championship title. Following up on an impressive 1996 world championship title, the team claimed the 1998 title in the time of four minutes, 55 seconds — the first team ever to break the five-minute barrier in world competition.

This physically demanding competition was a simulation of real firefighting tasks. Completed in full firefighter gear, it involves a high-rise stair climb in full high-rise gear and a 40-pound hose roll, dragging a charged hose for 75 feet and a 175-pound dummy 100 feet, and a simulated forced entry.

I personally congratulate the combat challenge team members: Brent Hastings, Peter Reid, Mark Evans, Rob Wohlfeld and Scott Hewlitt, and their coach, Doug Comeau. A special congratulations to team member Brent Hastings, who was the fastest man in the world on the skill-testing course, completing it in a record time of one minute, 32 seconds.

On behalf of the Legislature of Ontario, our congratulations to this well-deserving, outstanding Brampton firefighting team.

WORKFARE

Mr Richard Patten (Ottawa Centre): I cannot let the occasion of the 50th anniversary of the United Nations Universal Declaration of Human Rights pass without commenting on how Bill 22, an act to prevent unionization with respect to workfare, violates the declaration.

A UN committee that oversees the implementation of the UN's International Covenant on Economic, Social and Cultural Rights had some comments about Bill 22. It said, "The committee considers the act to be a clear violation of article 8 of the covenant and calls upon the [governing] party to take measures to repeal the offending provisions."

The United Nations is an institution that we all love to quote when they say something nice about us. When they declare us the number one country in the world in which to live, we all take great pride. But when they report on some problems with our system, I believe it's our responsibility to listen very carefully and to immediately address them.

This week, citizens all over the world are celebrating the 50th anniversary of the United Nations Universal Declaration of Human Rights. This widely respected document asserts that there are certain inalienable human rights, among them freedom of assembly and freedom of association. The United Nations has now taken the time to study and analyze Bill 22. They are singling out Bill 22 and saying that it is in contravention of agreed-upon fundamental rights.

If the government seriously believes that Ontarians are worthy of basic human rights, it must take heed of what the United Nations has to say about Bill 22. This is indeed a very serious matter.

SHAUGHNESSY COHEN

Mr Wayne Lessard (Windsor-Riverside): I stand today to mourn the loss of my federal member of Parliament from Windsor-St Clair, Shaughnessy Cohen. I've known Shaughnessy Cohen for over 15 years, and although we weren't at the University of Windsor at the same time, we both were graduates from there. We practised law together in Windsor and served as assistant crown attorneys in Essex county.

Although we may have had our philosophical differences of opinion, we always enjoyed a relationship of friendship and respect. One thing we shared was a commitment to our community. As the mayor of Windsor, Mike Hurst, yesterday said upon learning of her passing: "She loved Windsor. She was one of this city's great boosters."

Recently, as chair of the House of Commons justice committee, she shepherded through amendments to the Criminal Code that permit dice games in the casino in Windsor. She was also working on the Ron Ianni tribute dinner. Ron Ianni was the former president of the University of Windsor. She was also working on the issues surrounding the twinning of the Ambassador Bridge.

Shaughnessy loved life. I had dinner with her last Saturday evening and she was bubbly and enthusiastic. I sympathize on her passing and offer condolences to her husband, Jerry, and her family.

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HOSPITAL RESTRUCTURING

Mr John Hastings (Etobicoke-Rexdale): I'd like to take this opportunity to clarify for the public the issue of hospital closures, not only in Ontario but across Canada.

According to statistics, in the last two years Nova Scotia closed 11 hospitals, while New Brunswick closed two. Both of these provinces have, incidentally, Liberal held governments. In BC, 20 hospitals were closed and two in Saskatchewan — they're run by the NDP.

I would like to point out that Ontario hospital closures come at a time of increased new technologies, innovations and new drug therapies. Change was both inevitable and needed. The latest medical technology allows us to focus on prevention and community-based services.

Also, as demographics change, we must change to meet the needs of a growing, changing and aging baby boom population as we enter the 21st century. Our government recently announced a \$1.2-billion expenditure to expand long-term care across Ontario and to build new long-term-care facilities. Overall, the Harris government is now spending more money on health care than any other previous government in Ontario.

As we look at the hospital closures in every province, we can clearly see that hospitals had to adapt to the changing demographics in order to deliver adequate health care. The fact that hospitals are closing in each province, regardless of which party is in government, flies in the face of the members opposite, all of whom are holding on to —

The Speaker (Hon Chris Stockwell): Statements.

DOCTOR SHORTAGE

Mr Pat Hoy (Essex-Kent): I have repeatedly raised the crisis of rural doctor shortages to Mike Harris and Elizabeth Witmer, but they refuse to act. The Harris government has the power to pass government laws any time. Why use private members' bills and resolutions, except to test the political waters?

I voted for Mr Martiniuk's bill today, even though it is totally wrong-headed, because at least it recognizes an urgent problem that Mike Harris has refused to address. But I do not believe punitive measures will solve the problem. The government must introduce meaningful incentives to encourage doctors to practise in rural, underserved areas. Mike Harris must lift the freeze on community health centres and introduce government legislation to fund nurse practitioners as part of the answer.

Nurse practitioners have submitted a report with solutions. The Professional Association of Internes and Residents of Ontario have offered many reports with solutions. Why won't you listen to them, Premier? They want to help. The Ridgetown and District Future Fund Group called me because they want the problem fixed.

Introduce government legislation immediately. You have the power. I am also calling on Minister Witmer to extend the underserved designation to the entire municipality of Chatham-Kent. Totally, it needs almost 40

doctors. Designation is supposed to apply to municipal units. You made Chatham-Kent one municipality. Premier, extend the designation to all of it now.

IPPERWASH PROVINCIAL PARK

Mr Bud Wildman (Algoma): Today is the 50th anniversary of the United Nations Universal Declaration of Human Rights. The first draft was by a Canadian, John Humphrey, a colleague of Frank Scott in Montreal.

Some of the rights established by the United Nations include the right to life, the right to peaceful assembly, the right to freedom from arbitrary detention. The United Nations also recognizes the rights of all peoples to self-determination.

Three years ago, on the night of September 6, 1995, 300 heavily armed Ontario Provincial Police officers massed at Ipperwash Provincial Park to lead an 11 pm assault on less than 30 unarmed aboriginal protesters. This small group had occupied the park to defend an ancient cemetery of the Stony Point First Nation's people. Several hours later, Dudley George was shot dead as a result of a shot from a laser-guided, semi-automatic OPP weapon. Another aboriginal man was severely beaten. Two protesters were wounded by police gunfire; another four were detained in police custody. No charges were laid against them.

This case raises serious issues about the current Ontario government's response to aboriginal peoples and its commitment to human rights, to treaty rights and to the inherent rights of aboriginals. When anyone's human rights are denied, the rights of all of us —

The Speaker (Hon Chris Stockwell): Statements.

CHIRS

Ms Marilyn Mushinski (Scarborough-Ellesmere): I rise today to speak about the Community Head Injury Resource Services of Metropolitan Toronto, also known as CHIRS, and the programs it offers to Ontarians across this province.

CHIRS, originally known as Ashby House, was the first transitional-living, community-based program for adults with brain injuries in North America.

On Monday, December 7, I had the pleasure of representing the Minister of Long-Term Care, my colleague the Honourable Cam Jackson, in officially opening the unique long-term, community-based residential program in Scarborough.

This is the largest program of its kind in Canada, with a total of 20 people with acquired brain injuries, ABI for short, living in these units and being supported by CHIRS on a 24-hour basis. These units were specifically built to meet the needs of individuals with moderate to severe brain injuries, most of whom have been repatriated from the United States over the past few years.

The outreach and residential programs will improve the quality of life for individuals with brain injuries by giving them greater independence and bringing them closer to their families.

The work of CHIRS and centres like it is a clear and compelling example of the new philosophy that is guiding the evolution of Ontario's health services, and of our continuing care services in particular.

SHAUGHNESSY COHEN

Mr Dwight Duncan (Windsor-Walkerville): On a point of order, Mr Speaker: I seek unanimous consent to say a few words about a federal colleague who passed away yesterday.

The Speaker (Hon Chris Stockwell): Agreed? Agreed.

Mr Duncan: Thank you, Mr Speaker, and to my colleagues in the Legislature.

Yesterday we lost a colleague, all of us, a woman who was more than just a member of Parliament to, I know, many in this House on all sides of the House. She was a good friend for many years to many of us and the loss of Shaughnessy Cohen is felt by I think everybody who knew her.

Shaughnessy had a wonderful sense of humour and a very deep partisan streak, as one would expect, that she used to great effect. But I think it's a tribute to Shaughnessy that in the House today in Ottawa, members of all five caucuses there stood up to pay tribute. I know the Attorney General, Mr Harnick, went to law school with Shaughnessy. I want to thank Mr Palladini, who took time out of his schedule today to visit Shaughnessy's constituency office in Windsor to pay his respects on behalf of the government of Ontario. I know my colleagues Sandra Papatello and Wayne Lessard held Shaughnessy in the same regard as so many of us. All of us were deeply saddened and shocked.

For me it was particularly hard because we have been friends for more than 20 years. She was a wonderful person. As the Prime Minister said of her today, "She represented all that was good in parliamentarians and legislators throughout this country, people in all parties. She had a deep intellect, a wonderful sense of humour. She was a tireless worker for her community."

Mr Speaker, if it's appropriate I would ask you to observe a moment's silence in memory of Shaughnessy Cohen and extend to her husband, Jerry, and daughter, Dena, our deep, deep sense of loss.

Mr Wayne Lessard (Windsor-Riverside): I rise as well to mourn the loss of my federal member of Parliament from Windsor-St Clair, Shaughnessy Cohen.

As I indicated earlier during members' statements, I've known Mrs Cohen for over 15 years. Although we weren't at the University of Windsor law school at the same time, we did graduate from that school. We both became lawyers in the city of Windsor, and through our practice both became assistant crown attorneys in Essex county. As a result our paths crossed, and as a result of both of our elections our paths continued to cross. Although we had our philosophical differences of opinion through the years, we always enjoyed a relationship of friendship and respect, and we were always able to work together on issues that were going to benefit our community.

Shaughnessy was always known as a very tough partisan fighter when it came to issues in our community. As the mayor of Windsor said yesterday upon hearing of her passing: "She loved Windsor. She was one of this city's great boosters."

She was also, as I said, a fighter and in her own words — this is from the Windsor Star today — "I'm not shy. I'm hard to intimidate, and I have some difficulty speaking in code, so as a result I sometimes get myself into trouble because I'm fairly straightforward in terms of what I say and how I say it." I think that was one of the things that the people in our community respected, that she was a tough fighter, she was a straight-shooter and she will be missed by our community.

I want to express my condolences to her husband, Jerry, and her family, and say once again how much I mourn her passing. Life is too short. We all need to live it to its fullest and do the best we can with the time we have. I know that's what Shaughnessy Cohen was doing as she represented the constituents in Windsor-St Clair.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I too, on behalf of the government caucus, wish to extend our deepest sympathy to Shaughnessy's family, friends and loved ones in Windsor, and to say that I wholeheartedly agree with the comments that everyone has made.

To die at the age of 50, when you're in the prime of your life and making the kind of contribution that Shaughnessy Cohen was making in the federal Parliament and for the country and for her community, which she was deeply passionate about, is a great tragedy.

I know very well of her work in the federal justice committee, the leadership she took on issues that she and I did not always agree on, but I can tell you that she was passionately partisan for her beliefs, for her party and for the country.

In a very short period of time, she distinguished herself in the House of Commons. She was well known everywhere throughout the country for the work she was doing, and she will be missed by the people of Windsor, the people of Ontario and the people of Canada.

We extend our sympathies to her family and to her many friends.

The Speaker (Hon Chris Stockwell): Would you please rise and join me in a moment of silence in memory of Shaughnessy Cohen.

The House observed a moment's silence.

The Speaker: Thank you.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr Jerry J. Ouellette (Oshawa): Once again I rise and I want to commend and thank all members and the staff for their hard work in all our committee's legislation.

I beg leave to present a report from the standing committee on administration of justice and move its adoption.

Clerk at the Table (Mr Todd Decker): The standing committee on administration of justice presents the committee's report as follows:

Your committee begs to report the following bill, as amended:

Bill 53, An Act to amend the Law Society Act / Projet de loi 53, Loi modifiant la Loi sur le Barreau.

The Speaker (Hon Chris Stockwell): Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

INTRODUCTION OF BILLS

HUMMINGBIRD PERFORMING ARTS CENTRE CORPORATION ACT, 1998

LOI DE 1998 SUR LA SOCIÉTÉ DU CENTRE HUMMINGBIRD DES ARTS D'INTERPRÉTATION

Mr Silipo moved first reading of the following bill:

Bill 97, An Act to establish the Hummingbird Performing Arts Centre Corporation / Projet de loi 97, Loi créant la Société du Centre Hummingbird des arts d'interprétation.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Mr Tony Silipo (Dovercourt): This bill establishes a new non-profit corporation to operate the Hummingbird Centre, provides for the dissolution of the existing corporation and deals with transitional issues. I'm pleased to have had the opportunity to work with the Minister of Municipal Affairs to bring this bill about.

MOTIONS

STATUS OF BILL 56

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): Mr Speaker, I believe we have unanimous consent to move a motion without notice with regard to Bill 56, the Greater Toronto Services Board Act.

The Speaker (Hon Chris Stockwell): Is there unanimous consent? Agreed.

Hon Mr Sterling: I move that notwithstanding standing order 76(b), which requires a bill to be reprinted after being amended in committee, the House may proceed with the third reading stage of Bill 56, An Act to establish the Greater Toronto Services Board and the Greater Toronto Transit Authority and to amend the Toronto Area Transit Operating Authority Act, during this evening's sitting.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

COMMITTEE SITTINGS

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): Mr Speaker, I believe we have unanimous consent to move a motion without notice regarding the standing committee on public accounts.

The Speaker (Hon Chris Stockwell): Is there consent? Agreed.

Hon Mr Sterling: I move that the standing committee on public accounts be authorized to meet on Monday, December 14, 1998, from 10 am to 12 pm.

The Speaker: Agreed? Agreed.

STATEMENTS BY THE MINISTRY AND RESPONSES

ASSISTANCE TO FARMERS

AIDE FINANCIÈRE AUX AGRICULTEURS

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): I'm very pleased to rise today to share some very good news with my colleagues. I am pleased to tell you that the Ontario government, through the Ministry of Agriculture, Food and Rural Affairs, will provide some much-needed interim assistance to our beleaguered farmers.

I full well realize that for some, this good news will come as a surprise. After all, the government is doing all it can to reduce expenditures. This government also recognizes the tremendous contribution that our agriculture industry makes to the economic well-being of this province, and this government is committed to ensuring that this indeed continues.

I would like to briefly recap some of the events of this past year that have caused our farmers such despair that they felt compelled to voice their fears and concerns on the lawn at Queen's Park here last week.

First, the storm that blanketed eastern Ontario with ice, knocking out power grids and communications and transportation networks for almost a full month in early 1998, is something that happened.

Then we had a spring and summer marked with sporadic and uneven rainfall. Some parts of Ontario, including Grey and Bruce counties, declared themselves drought-stricken.

Next, a sudden late-summer hailstorm ravaged the crops of many apple producers in Northumberland and area.

Now, Ontario's farmers are facing the consequences of the downturn in the global economy, stockpiled grains and a global oversupply of pork.

It adds up to a very difficult situation, much of it beyond the control of our food producers.

There is no doubt that we must help Ontario's farming communities through this crisis, and that is exactly what we are going to do. The government of Ontario will provide interim financial assistance to help all farmers, including our hard-hit pork producers, our grain and oilseed producers and our beef farmers, to help them weather this worldwide economic storm.

To do this, we are committing up to \$40 million to an Ontario whole farm relief program. This includes \$30 million to provide some immediate financial relief to our farmers and a further \$10 million to flow later. This \$40 million is over and above our existing commitment to the current package of safety net programs for Ontario farmers. This is new money.

Le gouvernement de l'Ontario fournira une aide financière intérimaire pour aider tous les agriculteurs, y compris nos éleveurs de porc, nos producteurs de céréales et de plantes oléagineuses, et nos éleveurs de bétail, pour les aider à traverser cette crise d'envergure mondiale.

Pour accomplir ceci, nous consacrons jusqu'à 40 \$ millions à un programme de secours global aux exploitations agricoles. De ce montant, 30 \$ millions seront alloués immédiatement à une aide financière aux agriculteurs et 10 \$ millions seront versés plus tard. Cette somme de 40 \$ millions vient s'ajouter aux programmes existants de protection du revenu des agriculteurs ontariens.

There are major cash flow problems in rural Ontario. We know that this program will be difficult to implement but it will be set up quickly and administered fairly. We hope that as early as February 1999 our front-line food producers will have cheques in hand.

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Now what we will be able to provide in the short term comes nowhere close to covering the tremendous losses some of our farmers have experienced this year. I wish this were not the case, but for several important reasons we cannot cover these costs completely. Even if the provincial coffers were full to bursting, we couldn't do this because it could open our agri-food industry to counter-vailing duty and other reprisals from our trading partners.

Let me be clear: This is not a direct subsidy for just one commodity. Instead, we are providing support to all participating farmers in cases where the gross margin of their total farm income falls below 70% of the preceding three-to-five-year average. This will be part of a national whole farm income disaster program.

This interim payment buys us time, and we all must use this time wisely. These funds will greatly help to alleviate a very serious cash flow crisis. It buys time for producers to take stock of their situations and time to develop a national whole farm income disaster program that will make interim programs such as the one I am announcing today a thing of the past. That is our long-term goal.

We made the commitment this past summer at the annual meeting of federal, provincial and territorial agricultural ministers to have such a national whole farm

income disaster program in place by the year 2000-01 but, as I say, we're acting now. In the last few days I've spoken with my federal colleague the Honourable Lyle Vancilief. I wanted to let him know that we are fully prepared to work with him and our colleagues in other provinces on the national whole farm income disaster program and to make it a reality now.

That will be a key element in promoting some stability and some predictability when it comes to earning a living from agriculture in Canada because, as unusual as this year has been with its freakish combination of natural and economic adversities, it inevitably will happen again. We will hope for the best but we will plan for the worst.

It is, after all, in everyone's best interest to ensure the continued viability of our agri-food industry and the sustained viability of Ontario's agricultural and farming communities, not just because it adds some \$25 billion to our provincial economy each year, not just because it employs 640,000 people across the province, but because, in addition to creating wealth and providing jobs, Ontario's incredibly diverse agri-food industry makes an unrivalled contribution to the quality of life we all enjoy in this province and often take for granted.

Because of that, this government is committed to ensuring that our agriculture and food sector retains its diversity — producing high-quality fruits and vegetables, grains and oilseeds, dairy and eggs, beef, poultry and of course pork, and much, much more — and remains a vibrant, productive thread in the fabric of our society. When the agri-food sector prospers in Ontario, we as consumers all benefit.

HUMAN RIGHTS AWARDS

Hon Isabel Bassett (Minister of Citizenship, Culture and Recreation): On this day, the 50th anniversary of the signing of the United Nations Universal Declaration of Human Rights, it's my pleasure to announce the five recipients of the Government of Ontario Award for Outstanding Achievement in Human Rights, a special award created to help mark this milestone.

The Universal Declaration of Human Rights is a history-making document signed just three years after the end of the Second World War. The declaration has proven to be the source of inspiration for a wide variety of human rights protections both here and around the world.

Ontario's leadership role in the protection of human rights dates back to the earliest pioneer days, when our first Lieutenant Governor, John Graves Simcoe, passed an anti-slavery decree in 1793, a full 70 years before Abraham Lincoln's famous Emancipation Proclamation.

The government's award has been created to help Ontarians celebrate the 50th anniversary of the UN declaration as well as the more than two centuries of human rights legislation in this province.

Let me name and briefly describe the contributions of each of the five recipients of the Ontario Government Award for Outstanding Achievement in Human Rights.

First, the Honourable Lincoln M. Alexander, from Hamilton, is a human rights visionary who continues through his words and deeds to have an impact on Ontario society. When Mr Alexander was elected in Hamilton West in 1968, he became the first black member of Parliament, and in 1985 he became the first black Lieutenant Governor of Ontario. His dedicated public service and his years of successful leadership have opened many formerly closed doors for others to follow. Mr Alexander has established an awards program for young people who demonstrate leadership in combating discrimination and racism within their school or community.

The second recipient, the late Right Honourable Brian Dickson of Ottawa, is remembered as a brilliant legal mind, one of Canada's foremost chief justices of the Supreme Court and an interpreter of the Canadian Charter of Rights and Freedoms. The Supreme Court, under Dickson's stewardship between 1984 and 1990, helped to define the debate about who we are as Canadians. His work in determining the terms of reference for the Royal Commission on Aboriginal Peoples will have a lasting impact on the improvement of human rights in this country. His legacy includes the recent formation of the Dickson Circle, a group of senior lawyers from private law firms who donate their time and expertise to act as counsel for ARCH, a not-for-profit legal resource centre for people with disabilities.

The third recipient is the Multicultural Council of Windsor and Essex County. It was founded 25 years ago to encourage harmony, understanding and knowledge among the region's diverse population. Through its programs, partnerships, and success in galvanizing volunteers, the council has played a significant role in promoting the strength of diversity that we have here in Ontario. It has earned the high regard of the community it serves through its years of service, influence and effectiveness.

The fourth recipient is Rabbi W. Gunther Plaut, of Toronto. He is a long-standing champion of human rights. Rabbi Plaut's capacity to cut through to the heart of any issue and his ability to achieve consensus among conflicting opinions are the hallmarks of his success. A prolific author, Rabbi Plaut first came to Ontario in 1961 by way of the United States after fleeing Naziism in his native Germany. Rabbi Plaut was a founder of the Urban Alliance on Race Relations and the North York Committee on Community Race and Ethnic Relations, and has served as vice-chair of the Ontario Human Rights Commission. He has demonstrated remarkable leadership in fighting for the dignity, equality and security of the disadvantaged.

The fifth recipient is Nancy Ruth, of Toronto, who is a tireless advocate for women's rights. Over the last 20 years, Nancy Ruth has helped and supported a number of projects designed to ensure meaningful equality for women and girls in Ontario and in Canada. Leading among these projects are the Women's Legal Education and Action Fund, or LEAF, as it is known, and the Canadian Women's Foundation. Through her private

foundation, Nancy's Very Own Foundation, Nancy Ruth has championed a broad range of women's issues aimed at fundamental change and equality.

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These five recipients of the Government of Ontario Award for Outstanding Achievement in Human Rights represent the high standards of performance and commitment to human rights that we proudly uphold in Ontario. Their voices and their combined efforts are a treasured part of the history of this province.

On this day, I would also like to pay tribute to the Ontario Human Rights Commission, the first such commission in Canada. Earlier this week two commission staff, Lori Rainone and Lorraine Graham-Watson, received the Ontario public service's Amethyst Award for developing and using leading-edge information technology to improve case management and client service. I congratulate them, and those who have led the commission over the past quarter-century, for their critically important work in protecting human rights in Ontario.

The 50th anniversary of the UN Declaration of Human Rights represents an important challenge for the world. All Ontarians can rightly take pride in our heritage on human rights, but we must not become complacent and there is still work to be done. As we approach the next millennium, let us ensure that the legacies established by these recipients of the Government of Ontario Award for Outstanding Achievement in Human Rights are represented in all we do.

Mr Bud Wildman (Algoma): I ask for unanimous consent, Speaker, to expand the time for opposition responses, due to the fact that we haven't had unanimous consent as yet for statements by all parties on the 50th anniversary of the Universal Declaration of Human Rights.

The Speaker (Hon Chris Stockwell): Agreed? I heard a no.

ASSISTANCE TO FARMERS

Mr Pat Hoy (Essex-Kent): I am pleased to respond to the minister's remarks on his announcement of a whole-farm relief program.

Indeed there is a crisis within the agricultural industry and much of it deals with low prices of commodities. We have heard today from the ministry and the minister conflicting reports that the interim monies that would flow could occur in January, perhaps February, perhaps March. It is imperative that this money flow as soon as possible. It must be new money and cannot be taken out of existing agricultural programs, either now or in the future. This plan must not infringe on the integrity of crop insurance, NISA or market revenue. These are valued programs enjoyed by all producers in Ontario.

We hope creditors will work with producers in the interim, during this difficult time, and will understand that the money from the government will eventually flow.

I say, in conclusion, that the best rural job strategy is support for our farmers and the agricultural industry.

HUMAN RIGHTS AWARDS

Mr Richard Patten (Ottawa Centre): I'd like to respond to the award-winners of the human rights awards. I know they are all worthy and indeed outstanding Canadians, as well as in the multicultural community. In the absence of an opportunity today to speak to the anniversary of the Declaration of Human Rights, I'm sure they would concur that speaking about that now in no way takes away from the honour that has been bestowed upon them.

The declaration is regarded by many to be one of the great achievements of the United Nations. What it essentially does is set forth a list of inalienable rights for all individuals and thereby issues a challenge to humankind to uphold them. In upholding this standard, humanity would be taking a great step forward in eliminating the manmade suffering and deprivation with which we have so often been plagued.

Unfortunately, the abuse of fundamental human rights both personally and systemically is ongoing. We have a long way to go, not just in the Third World but in our own backyard as well. We would do well to remember that.

Similar to any great and transcendent constitutional document, its spirit is probably best summarized in its own introduction: "Whereas recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world."

I would like to direct some of my remarks on the occasion of this anniversary to one of the declaration's chief architects. Many of you may not know that the main author of the Universal Declaration of Human Rights was a distinguished Canadian, John Humphrey. Unfortunately, it was many years before the world legitimately recognized him as the principal architect of this document. At one point, the Nobel Peace Prize was erroneously given to another person, even though his role in writing it was not anywhere near as important as John Humphrey's had been.

He was a true Canadian in his understated and modest style about the controversy that surrounded who had actually written the document. He was a very humble individual. Never was he naive about the world in which he lived, though. He knew that the United Nations declaration would systematically be ignored by a significant number of rogue states. At times it would be flouted by liberal democracies as well. He knew that in reality the document was in no way binding on all of its signatories.

But Humphrey knew that something was more important. I'd like to quote from the eloquent words that were written of him when he passed away three years ago:

"He remained an optimist. He was persuaded that, like water on a stone, the noble tenets of the declaration had the power over time to wear down the forces of darkness and barbarism."

I believe that there is a great deal that can be learned from the life of this great Canadian and his achievement.

The dignified universal principles that are contained in the declaration are things that we would do well to remember as chosen representatives of the citizens of this province, especially when we at times are carried away amid the partisan clamour and the day-to-day business in this assembly, as we see as I speak.

I am proud to stand here today to join with, I'm sure, all members in a non-partisan way in recognizing the extraordinary achievement of John Humphrey and the United Nations Universal Declaration of Human Rights on its 50th anniversary.

Mr James J. Bradley (St Catharines): I'd like to also pay tribute to those who are receiving the awards today as people who are distinguished for their contribution to human rights.

ASSISTANCE TO FARMERS

Mr Bud Wildman (Algoma): I'd like to respond to the statement of the Minister of Agriculture, Food and Rural Affairs. Is this a solid first step? Farmers in Ontario are at best expressing cautious optimism today. This program is missing a lot of detail in spite of the government's protests, in spite of the minister's laying of blame on the dragging of feet by the federal Liberals.

The government has a responsibility. The provincial government is going to have to make some serious decisions about this program, and soon. Some farmers in this province are losing up to \$10,000 a week. They can't wait and listen while the provincial government blames others for its own inadequacy.

The government has not determined whether the NISA contributions will be considered fixed costs or an operating expense for the gross margin calculation that is crucial in determining the level of support. The government has not determined what will be done for farmers who are in a negative gross margin situation, and absolutely nothing has been done for cases where a farm family had a period of no income in the previous five years due to disasters. The government admits that this support will not be sufficient to sustain all farming operations here in Ontario.

The families that grow our food here in Ontario have said over and over again that they are sick of ad hoc farm programs. Farmers in Ontario need a government with foresight, a government that will sit down and roll up its sleeves and negotiate on their behalf with the federal Liberals. They need a champion, not too little, too late ad hoc relief programs.

HUMAN RIGHTS AWARDS

Mr Peter Kormos (Welland-Thorold): I find it incredible that the Minister of Citizenship, Culture and Recreation would pick this day of the 50th anniversary of the United Nations Universal Declaration of Human Rights to announce the awarding of medals. We don't quarrel with the recipients, but I wonder what Mr Justice Dickson would say about this medal. I'm sure he'd far

rather have an Ontarians with Disabilities Act that was mandatory and had teeth than this medal any day of the week.

It's important to hold up this declaration of human rights and to measure the success of this government since it came to power. You know that today in the Toronto Star there was a four-page ad. This ad was placed by the Coalition for a Public Inquiry into the Death of Dudley George. It was sponsored, among others, very proudly by the New Democratic Party caucus here at Queen's Park. The ad demands a full impartial public inquiry into the circumstances leading to the death of Dudley George.

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I want to draw to your attention that several members of the family of Dudley George are here today: Maynard Sam George, Veronica George, Joan Bressette and Debbie Herman. There's been no closure for the family of Dudley George, for his community or for First Nations people or for his friends. There can be no closure until we know the details of what took place in the days leading up to his death, in the hours before he was shot and killed, and what the Premier of this province said that changed the way the OPP dealt with a situation like this, because there's ample evidence that there was involvement by the Premier, by the Attorney General, by the Solicitor General and by the local MPP.

The people of this province are riveted to their television screens and newspapers, hearing about the massive cover-up and the payout of hush money by this government to Mr McLean. Why shouldn't we now turn our attention to the cover-up of the death of Mr George? Because there's no question that this government is trying to cover something up in this case, and it goes right to the top. There has never been a clearer violation, of the human rights of Dudley George, than that this government has involved itself in a direct role in the death of Dudley George and subsequently in the cover-up.

The shooting of Dudley George is just the beginning of a pathetic record of human rights by this government on aboriginal issues. Rather than act as advocates, this government has ignored, harassed and unleashed violent reprisals against aboriginal people with legitimate claims. When an OPSEU protester was beaten in a demonstration we had an inquiry. So why is it that the family Dudley George, sitting here today, his community, his friends, find themselves three years later still carrying this burden, still without closure around his death?

They want to know what happened and the people of Ontario want to know what happened that day, and they have a right to know what happened. They want to know why the Premier's executive assistant reported to a meeting of top bureaucrats that the Premier wanted those Indians out of there, nothing else. They have a right to know; we all have a right to know. We know that documents have gone missing.

I say to you, Speaker, that this government that announces medals and awards today has disbanded the anti-racism and ethnocultural equity branch. In fact, there is no other branch or department any longer in this province doing equity work.

We can't forget the targeting of immigrant groups by the Ontario government, the loss of funding for legal aid for immigrant and refugee people, the eradication of the Employment Equity Act, the total disregard for —

The Speaker (Hon Chris Stockwell): Thank you.

Mr Bud Wildman (Algoma): Point of order.

The Speaker: I think I had a point of order from the member for Scarborough East first.

DELIVERY OF LETTERS

Mr Steve Gilchrist (Scarborough East): Thank you, Mr Speaker. I'd like to draw to your attention a very serious matter that happened this morning and ask for your consideration and judgement on that.

Earlier today, at approximately 10:05, it's my understanding from the security detail in this building that a package was presented at door number 6, where courier packages are received, and was scanned, as is the normal practice. The person who presented that package then went around to the east door. In fact, two people were signed in by the office of Mr Kennedy, the member for York South. They proceeded to have the package couriered up by a Legislative Assembly courier to Mr Kennedy's office.

At that point, someone from Mr Kennedy's office phoned down to the government whip's office and claimed to be calling from the Premier's office. The person asked whether or not it would be appropriate for this other woman who had come in to go into the east lobby to hand out the envelopes, such as the one I'm holding in my hand, to each of the government members. The content of this is basically a series of letters calling on members to vote against the private member's bill that was presented by Mr Martiniuk this morning. In fact, a few minutes after that phone call, the same woman who had presented the package at the courier desk did attend at the whip's office. When told that the east lobby was not an option, the box was then given to a page and all of these letters were put on the desks of the government members.

Mr Speaker, the letters are personalized. They say on their face: "Urgent. Important information regarding today's private member's bill debate." Someone has gone to an awful lot of trouble to perpetrate a fraud and a misrepresentation on the government members. I believe my rights and the rights of all the members on the government side have been abridged. I think Mr Kennedy should be, in the least, censured for allowing his office to be used as part of this fraud. It is extraordinarily inappropriate and I'm astounded if any member on the other side would defend this practise of someone from another member's office calling down purporting to speak for the Premier of this province.

An occurrence report has been filled out by your security staff. They have confirmed the details that I'm saying to you here this afternoon, Mr Speaker, but I would ask you, because it has highlighted a serious breach of security in this building — I don't fault the security guards one bit. They have proceeded on the best of intentions and

they took these people at their word and, when signed in by another honourable member, of course the security detail cannot be held accountable.

The real issue is what happened after that box was received by Mr Kennedy's office. I know you can't ask the leader of the Liberal Party whether he condones this sort of subterfuge and fraud, but I ask you to investigate what action should be taken against the member for York South and his staff for being part of such a gross misrepresentation of the facts in an attempt to influence the proceedings in this chamber.

The Speaker (Hon Chris Stockwell): Well — do you want to rise on this point of order?

Mr Gerry Phillips (Scarborough-Agincourt): Yes, I do, Mr Speaker. First, the government is trying to use its bully tactics to whip things through. We dealt —

Interjections.

The Speaker: Members of the government, you must admit that I gave the member for Scarborough East a tremendous amount of leeway in his point of order. He accused the members of fraudulent acts that are criminal offences. Now I hardly think that we need to get out of control if a member of the opposition may make a controversial statement.

Mr Phillips: What was in those packages were urgent letters from our doctors of Ontario because today the Legislature, on virtually no notice, was dealing with a matter that will have profound implications for all the doctors and all the communities in Ontario. If the citizens of the province have no right to have their voices heard here in the Legislature, have no right to notify members of their significant concern about legislation that is before the House, if the government wants to say, "You can't let people know about this," then I'll say to Mr Gilchrist, you're wrong. I say it is important that the citizens of Ontario have a right to let their views be known and not be muzzled.

The Speaker: OK, listen. I'm trying — there are a lot of accusations in your comments and, quite frankly, you offered absolutely no evidence for these accusations. I think probably more appropriate would have been for you to come and see me before bringing it to the floor of the House, but the fact is you did say it's fraud and fraudulent actions. I want to make it clear, they are very, very serious charges and I do not take them lightly.

Interjections.

The Speaker: Come to order, opposition, please. I will undertake a review, but let me be clear: That was not a point of order and it's not a point of privilege. I will be —

Mr Phillips: It is.

The Speaker: No, it's not a point of privilege. The fact of the matter is, if there was some effort made to deliver packages in here, then that shouldn't happen, according to our routine, but it clearly didn't take place in this place, which would then constitute a point of privilege.

Having said that, I will undertake to review this matter and report back to yourself as well as the three House leaders.

Mr John Gerretsen (Kingston and The Islands): On a point of order, Mr Speaker: I would just like to make one further comment. I was castigated in this House less than two weeks ago for making a statement about what a Conservative member had stated in print. They took great exception because that Conservative member did not happen to be in the House at the time. The member for York South isn't in the House right now. He has absolutely no way to respond to any of these allegations at all, and I think that the member over there owes this House an apology.

Hon David Turnbull (Minister without Portfolio): You're on drugs.

Mr Phillips: Who's on drugs, Dave? What are you talking about?

The Speaker: What did he say?

Interjections.

The Speaker: Order. Chief government whip, I ask that you withdraw that comment, please.

Hon Mr Turnbull: I withdraw.

The Speaker: Look, folks, come to order. I'll report back and see what is at the bottom of this. Until that time, let's just wait until that report comes back.

Mr Bud Wildman (Algoma): On a point of order, Speaker: In light of the fact that this is indeed the 50th anniversary of the United Nations Universal Declaration of Human Rights and the family of Dudley George is present here today, and I understand that the standing committee on general government has cancelled its meeting which was going to deal with the scheduling of a hearing with regard to the incident at Ipperwash Provincial Park that was to take place today, I ask for unanimous consent to have a minister of the crown stand in this place and make a statement with regard to the government's position vis-à-vis the need for a public inquiry into the events that led to the death of Dudley George.

The Speaker: Agreed? I heard a no.

Mr Gilles Bisson (Cochrane South): You guys murdered somebody and you wouldn't even stand up.

The Speaker: Member for Cochrane South, I would ask you to withdraw that comment.

Mr Bisson: Withdrawn, Speaker.

ORAL QUESTIONS

BOARD OF INTERNAL ECONOMY DECISION

Ms Annamarie Castrilli (Downsview): My question is for the Attorney General. Yesterday, a letter was sent to the Speaker by Neil Finkelstein, a lawyer at Davies, Ward and Beck —

The Speaker (Hon Chris Stockwell): That's not appropriate to the Attorney General if it's regarding —

Ms Castrilli: Why?

The Speaker: I've ruled on it a number of times in the past. The only person it is appropriate to direct your question to is the Premier or his designate for the day.

Ms Castrilli: If I may, the issue is seeking the Attorney General's opinion on a particular legal matter. I would love to know what his view is on all this.

The Speaker: The Attorney General may be asked any questions about legal ramifications with respect to the Attorney General's office. It's not in his realm of responsibility to ask generic and general questions of legal types to the Attorney General, particularly ones that emanate from the Board of Internal Economy. You may place your question, as long as it's properly phrased, to — I believe the Minister of Education is the deputy today.

Ms Castrilli: I find it curious, Speaker, that the top lawyer in the province is not allowed to —

The Speaker: You know what? This is not a debate. You can place your question, as you wish, or we can move on.

Ms Castrilli: Very well. Then my question is to the Acting Premier today. Minister, you will know, as I indicated, that there is a letter that came to the Speaker yesterday, and I've taken the liberty of sending a copy to the Attorney General. I'm assuming that you may have read it as well. I hope you have, because it is a very important letter.

The letter, let me just say, makes some very interesting points. It's brief, to the point, it's concise. I will quote to you what it says. It's absolutely clear on the face of it.

"Ms Thompson's claims as against the Office of the Assembly for damages resulting from other matters, sexual harassment, wrongful dismissal and defamation, are not likely to succeed.

"Allan McLean's proposed claim against the Office of the Assembly for damages and indemnification is of little or no merit.

"In the event that the Office of the Assembly was held responsible for any damages caused to Thompson, there is strong likelihood that the Office of the Assembly would be awarded indemnification against Mr McLean.

"In any event, regardless of the outcome of the litigation" —

The Speaker: Question?

Ms Castrilli: — "it is unlikely that the court would rule that you would pay for the costs of both the winner and the loser in a court case."

You have with you the top lawyer in the province. I would really like to know what you think of this. What does he —

The Speaker: Thank you. Minister of Education.

Hon David Johnson (Minister of Education and Training): What I know of this is that I am not a member of the Board of Internal Economy. I have not been privy to all of the facts that the Board of Internal Economy members would be aware of up to this point in time.

There may be certain legal opinions, various legal opinions, but from what I gather, the Board of Internal Economy members have concluded that it's time to deal with this matter, to bring a resolution to the matter, that

the legal costs have been escalating. It's time to bring a resolution to the matter and allow the individuals involved, Ms Thompson and Mr McLean, to get on with their lives. That's my understanding of the matter and apparently that's how the board acted.

Ms Castrilli: This is the second time we've heard about a difference of opinion with respect to lawyers. The fact is, Mr Finkelstein was a representative of one of three law firms that was consulted by the Board of Internal Economy and came out and said, "There's virtually no liability on the assembly." Then a subsequent opinion was obtained which had nothing to do with the merits of the case, as even the lawyers for Morris/Rose/Ledgett indicated. They had not looked at the case. They gave you a general discussion of the law of costs.

Minister, I have a fairly high regard for you, but I wonder if you can honestly say to Ontarians that you believe this assembly should pay for all legal fees, and that Ontarians, therefore, should pay for all legal fees in a sex scandal, plain and simple, between two private parties that has nothing to do with the people of Ontario. Do you really believe that?

Hon David Johnson: In my career over many years, I've been involved with various issues that have involved legal settlements. It's fair to say that in many settlements that I've had to be involved with, whether at the municipal level or at the provincial level, I might have thought that maybe there was a better way to deal with this, but when you're in government, you have to deal with certain realities.

I don't know all the facts of this situation, not being a member of the Board of Internal Economy, but I do know that the people involved are good people. They've looked into this to the best of their ability and they've come to the conclusion that it's time to bring closure to it; that the costs are going up and up; that there may be some risk that if closure hadn't been brought to this particular issue, the costs a year from now or two years from now would be greater, and onward and onward evermore. I know in many cases I've been involved with in the past, that would not have served the taxpayers well.

Ms Castrilli: Minister, let's face it, this is a cover-up. We've tried to ask questions in this House of the Premier, the Deputy Premier, the Acting Premier, the minister responsible for women's issues. We're not permitted to ask the opinion of the chief lawyer in this province. You tell me what you call it.

What you're telling us is that you want the people of Ontario to believe that nobody over there knew they had a sex scandal on their hands, that nobody over there believed there was an old boys' network that had to be preserved. Is that your position? Because that's what I'm hearing on this side. Finally, you want the people of Ontario to believe that you haven't gone to all lengths possible to cover up, to defend one of your own with hundreds of thousands of their money.

Hon David Johnson: The member opposite again refers to the money. We might all have different opinions as to how money is effectively spent or when it isn't

effectively spent. I know that in 1994 the Liberal caucus overspent its budget by \$300,000 and came to that same Board of Internal Economy asking forgiveness and asking the taxpayers to fork over that extra \$300,000 over their budget. I guess some people would say that isn't money well spent either.

Individuals who have been involved know the circumstances and have come to the determination that it's best to cut the losses, to have an agreement on this, to have closure on this, to let all the parties get on with their lives, because if you don't, the expenses go up and up, year after year, and the taxpayers may be on the hook for even more in future years.

DELIVERY OF LETTERS

Mr Gerard Kennedy (York South): On a point of order, Mr Speaker: I rise on a point of order concerning a point raised earlier by the member for Scarborough East. The member for Scarborough East raised allegations and characterizations of the behaviour of my office that are completely untrue and without foundation. The security service of the Legislature is completely aware of the facts, and concurs. The member for Scarborough East is simply abusing and misusing his privileges in this House to try and distract from the important matters at hand and the things that are happening in this government.

The Speaker (Hon Chris Stockwell): Stop the clock for a moment. This is very uncomfortable. You've got one member of the House accusing one member of fraud; you've got another member of the House accusing the other member of lying. This is not good territory to be in. Take my word for this.

I appreciate that the member for York South wanted to put his position on the record, and I can understand that. What I will undertake to do is to have a full and frank review of this, talk to the Sergeant at Arms and security staff. I will get to the bottom of it, and at the time I get to the bottom of it, I'll report back to this House. OK?

New question, the member for Scarborough-Agincourt.

1440

BOARD OF INTERNAL ECONOMY DECISION

Mr Gerry Phillips (Scarborough-Agincourt): To the Acting Premier on the same matter of Mr McLean: My constituents view this as a relatively straightforward matter and were surprised yesterday to hear Premier Harris say that he thought the settlement was just fine in his eyes and defending it. Here's what they believe and think: A charge of sexual harassment was laid against Mr McLean, a matter between two individuals. They believe a decision has to be made: Who is right and who is wrong here?

We now find, amazingly, that the taxpayers are paying \$250,000 to Ms Thompson and are paying all of Mr

McLean's fees, in spite of the fact that our own legal advice was strongly of the opinion, "Don't pay it."

I want to ask the Acting Premier, on behalf of the Premier, what possible justification do you have for paying both parties when our legal firm says we have no obligation and when the public expect that this is a matter that should be resolved and handled between the two individuals?

Hon David Johnson (Minister of Education and Training): Again I say to the member opposite that I don't have all of the details involved up to this point in time. About a year or a year and a half ago, I was a member of the Board of Internal Economy and did have some of the details at that particular point in time. I'm sure I'm quite out of date by now, but I do recall back then that there were a number of lawsuits involving other members of this House, particularly members who served on the Board of Internal Economy. I think the Speaker was the subject of a lawsuit. I don't know if that's still the case today or not, but certainly there were many more lawsuits involved than just the two individuals.

I don't know how all this comes to bear. I can only say that the Premier has indicated, and I concur, that this is a matter that the members of the Board of Internal Economy felt was best resolved at this point in time. The costs are escalating on both sides.

The Speaker (Hon Chris Stockwell): Answer.

Hon David Johnson: There may or may not be risk in terms of the Legislature and members of the House. It's best resolved. Let everybody get on with it and keep the costs where —

The Speaker: Supplementary.

Mr Phillips: But I am here speaking on behalf of the people of Ontario, Acting Premier. It's very clear to them: a charge was laid by a woman against Mr McLean — and then the defence and costs rising — but the taxpayers are being asked to pay for both of them when the taxpayers and the people of Ontario believe it is a matter between Ms Thompson and Mr McLean. We have our legal opinion which said: "Don't do it. Don't pay it. Don't pay this money. Let the courts make a decision. Let them move and make a decision on who was right and who was wrong here."

I say again to the minister, on behalf of the Premier, what possible justification do we have for paying both sides this money when the legal opinion we got from the lawyers we engaged said, "Don't do it"? What possible justification do you have?

Hon David Johnson: Again, I don't have the full knowledge of all the circumstances of the Board of Internal Economy, so I can't give the member for Scarborough-Agincourt perhaps what he's looking for precisely. But I will say again that if the member for Scarborough-Agincourt is of the opinion that the lawsuits simply involve the two individuals, my understanding is that that is not correct. I'll say once again to the member for Scarborough-Agincourt that there were other suits involving other members of the House because of their participation on the Board of Internal Economy, and

indeed I believe the Speaker was involved in one of those lawsuits. So you can see that the implications were much broader than the two individuals involved. The members of the Board of Internal Economy have looked at this, investigated this and felt that the best course of action was to try to reach a settlement, get rid of all these lawsuits, which apparently they have, and let everybody get on with their lives. The consequences and the costs apparently are escalating year by year, month by month.

Mr Phillips: I can understand why the Premier would want to get rid of this, but I would just say that for the people of Ontario to be asked, amazingly, to pay both sides in this matter is unprecedented. Your argument is that as the lawyers' bills rise, the taxpayers should dole out. Carried to its logical conclusion, in any future case like this, as the costs go up it's more obvious that you're going to saddle the taxpayers with it.

The people of Ontario have a very clear view of this: It's a matter between Ms Thompson and Mr McLean, involving a substantial amount of money, and Mike Harris has decided to sweep this under the rug. He ordered his four people on that committee to get it done, reach a settlement. He said yesterday he had been fully briefed on this matter and he agreed on it.

Again I say to the minister, what possible explanation does he have to the people of Ontario of why we should be spending this amount of money to settle this case and get it under the rug, when all the advice we got from the lawyers that the legislative committee engaged said, "Don't do it"?

Hon David Johnson: Again, not knowing all the details, I will note for the member for Scarborough-Agincourt that apparently a November 10, 1997, edition — about a year ago — of the Hill Times indicated that hundreds of thousands of dollars had been spent to support MPs — this is in Ottawa — facing lawsuits, including some for wrongful dismissal. I would say what is happening here, as I understand it, is that this Legislature is being sued, with suits involving both parties, so the suits here are much broader than the two individuals. The federal government apparently, in similar instances, has recognized the need to settle, minimize the cost to the taxpayer.

In this particular instance, the members of the Board of Internal Economy, as I understand it, have taken the same course of action. They have said, "We can wait; we can allow this to carry on year after year, let the lawyers' bills mount day after day, month after month, and maybe the taxpayer would be on the hook for more, or we can settle now, cut our costs and get on with life."

The Speaker: New question.

Mr Howard Hampton (Rainy River): To the Acting Premier for the day: We saw your government not many months ago say across this province on national television that you were very worried about compensating the Dionne quintuplets because you weren't sure how much it was going to cost, and therefore they almost had to sue you — in fact, they were in the process of suing you — before you finally said, "We should settle this."

Isn't it passing strange that your position a few months ago was that you were going to force the surviving Dionne

quintuplets into a very severe situation, and you were in that position until public opinion started beating you up? But here, when it comes to good old Al McLean, a member of the Conservative caucus, your response is, "Oh, we'd better pay this right away." Can you tell me, please, what's the difference, why you changed your position all of a sudden?

Hon David Johnson: I will say there's a little bit of revisionism of history here on a couple of accounts. One is that this matter, which the Board of Internal Economy recently brought to a head, has been before the Board of Internal Economy for years — let alone days or months, it's been there for a couple of years; at least for some considerable period of time.

My understanding, in the case of the Dionne quintuplets, was that the government was in the process of negotiating. The Premier took a visit to Montreal, I believe it was, personally to speak with the quintuplets and to resolve this matter. It was, as I understand it, a very successfully negotiated settlement that all parties are happy with.

I hope that this matter as well will be the same in that it will be a successful negotiation and —

The Speaker: Thank you. Supplementary.

1450

Mr Hampton: There's a very big difference, Acting Premier, and it's this: You've got a very respected legal counsel who says: "Look, this isn't the responsibility of taxpayers in Ontario at all. This is the responsibility of Al McLean as a private individual." So why are you in such a hurry to spend \$600,000 of taxpayers' money to rescue one of your good old boys from a sexual harassment claim when for months you said that the Dionne quintuplets' case had no merit and your government basically told them to get lost? Why are you in such a hurry to spend taxpayers' money now to rescue one of your good old boys when it's clearly his case alone, doesn't involve the Legislative Assembly, doesn't involve the taxpayers of Ontario? Can you tell us, can you explain to us why you're in such a hurry to spend that taxpayers' money now?

Hon David Johnson: I'm a little at a loss to understand the definition of "hurry" from the leader of the third party, since this matter has been before the Board of Internal Economy for over a year — many, many months that the Board of Internal Economy has been looking at this particular matter. Through that period of time the legal costs of both parties have been going up and up. At some point in time, somebody has to make a determination. I know it's tough because I've been there myself; not in this particular instance recently, but in other instances. It's not always popular but you have to make a decision. Will the cost, will the exposure to the taxpayer be greater a year from now, two years from now, if we let it drag on, or can we bring a resolution to this matter, put a lid on these increasing legal costs, these increasing payments to the lawyers, let the parties — Ms Thompson, Mr McLean — get on with their lives and give the taxpayers a break? That's exactly, apparently, the conclusion the Board of Internal Economy came to.

Mr Hampton: I agree, Acting Premier, that what you're trying to do is put a lid on this. You're trying to hush this up, and you're trying to hush it up despite the fact that the only legal counsel who looked at this said very clearly: "There is no liability for the Legislative Assembly. There is no liability for the taxpayers of Ontario." So I want to ask you this. We asked some people to do a little research. We understand that Mr McLean has a very large dairy farm that's worth over half a million dollars. We understand that in terms of all of his assets he's worth more than a million dollars. Why are the taxpayers of Ontario going to rescue Mr McLean from his sexual harassment case when he has the financial means to do that himself right now? Why are the taxpayers of Ontario picking up this liability when Mr McLean can settle it tomorrow out of his own pocket?

Hon David Johnson: Obviously I'm not going to go into anybody's personal financial situation. I guess it's a little curious to me, the definition of "hush up." In view of the circumstances that we've faced in the House this week, there seems to be a lot of discussion on this matter. I will say that the only thing that I think has been hushed up, if you want to use that kind of terminology, is the legal expenses, which have been mounting month after month, year after year; and now finally, after well over a year of the legal expenses mounting and mounting on both sides, it is my understanding that the members of the Board of Internal Economy have reached a resolution to this matter that stops the increase in those costs.

I will also say that if the member for Rainy River thinks this is the absolute end of the matter, the Ontario Human Rights Commission could still be involved. It's my understanding that that's a possibility. It's not within my jurisdiction or anybody's jurisdiction in this House, but that's still a possibility for further exploration.

Mr Hampton: My question is to the Acting Premier. There is a reason why Mr McLean's personal assets come into this: because it's his personal responsibility.

Didn't you read the legal opinion? Part one of the legal opinion: "Ms Thompson's claim as against the Office of the Assembly for damages for sexual harassment and wrongful dismissal and defamation are not likely to succeed. In any event, if they succeeded you could claim over against Mr McLean." Part two: "Allan McLean's proposed claims against the Office of the Assembly for damages and indemnification have little merit." Point three: "Allan McLean's proposed claim for wrongful dismissal against the Legislature has no merit." Point four: "In the event the assembly was ever found responsible, you could claim over against Allan McLean."

The only legal advice the Board of Internal Economy ever got said, "This is Mr McLean's responsibility." We know Mr McLean has the financial wherewithal to handle this financial responsibility and this legal liability. So why are you spending taxpayers' money to hush up a sexual harassment scandal for one of your backbenchers?

Interjections.

The Speaker: I want to caution the members for Perth and York East to come to order, please. Acting Premier.

Hon David Johnson: Obviously there's no hushing up here. What there is, as I understand it from the Board of Internal Economy, is an attempt to come to grips with and put some completion to this matter.

What concerns me a little bit in the tone of the questioning from the member for Rainy River is: Is he assuming guilt on any one party involved in this issue? Because my understanding is that there has not been any determination of guilt on behalf of any of the members, any legal determination of guilt, in terms of any court cases or anything of that nature.

What the Board of Internal Economy is faced with is the increased possibility of legal costs going up and up, as they have over the past, in an attempt to bring closure to that issue. I don't see how that's unreasonable.

Mr Hampton: The Acting Premier in fact asked the right question, all right? This would have gone to discovery, this would have gone to examination, in a few weeks and the public would have found out there if Mr McLean's defence has any merit and it would have found out the content and the substance of Ms Thompson's claims. Why are you putting the taxpayers on the hook for \$600,000 when we would have known within three weeks whether Mr McLean's defence had substance or didn't have substance?

What are you afraid of? What are you trying to hide? What is it that might have been said under oath by either Mr McLean or Ms Thompson that your government is so afraid of?

Hon David Johnson: This government is not afraid of anything concerning this particular circumstance. My understanding is that the Board of Internal Economy is simply trying to make a prudent decision. I faced through my many years, particularly at the municipal level, many circumstances where you can allow a situation to drag through the courts, month after month, year after year, and the expenses go up and up, or sometimes — it's not popular — instead you make a decision to bring closure to the issue, to minimize the cost. You do that in the interests of the taxpayers, because the taxpayers could either be on the hook for a limited amount of costs today or an ever-increasing amount of costs in the future.

This thing could go on for years and years. Anybody associated with the courts would probably feel that's a possibility. My understanding is that the Board of Internal Economy made the most prudent decision they could on behalf of the taxpayers.

Mr John Gerretsen (Kingston and The Islands): On a point of order, Speaker: On three occasions now the minister has stated that the members of the board of control voted in favour of this deal. I think the record ought to clearly show that it was the Conservative members on the board of control that —

The Speaker: Let me tell you, you can't correct another member's record. Technically, the Board of Internal Economy did make the decision. He's not wrong.

Member for Renfrew North.

1500

Mr Sean G. Conway (Renfrew North): To the Acting Premier, my question is simply this: Why does a

third party, in this case the people of Ontario, pay \$600,000 worth of damages and legal costs in a dispute between two private individuals about what is essentially a private matter, especially when distinguished legal counsel to the third party, Mr Neil Finkelstein, tells the third party, the Board of Internal Economy, representing the taxpayers, they have no obligation and they ought not to pay?

Hon David Johnson: I can only assume that there's a difference of opinion in that matter. I guess you could ask, why has the federal government paid out hundreds of thousands of dollars to support MPs facing lawsuits, including some for wrongful dismissal?

These are, unfortunately, the kinds of decisions that have to be made, and again they are not always popular. But the costs can be resolved today at a certain level, or there's the risk that if they are resolved one, two or three years from now, the costs will be two, three or four times as much as they are today.

Mr Conway: Neil Finkelstein is one of the most distinguished lawyers in the country. He was retained by the Board of Internal Economy. Neil Finkelstein has made it absolutely clear that in his considered and professional opinion, the Board of Internal Economy, representing the taxpayers of Ontario, ought not to pay any costs and any damages in what in Mr Finkelstein's professional opinion is primarily a private matter between two private individuals, Ms Thompson and Mr McLean.

What I want to know is, how is it possible for a Board of Internal Economy dominated by cabinet ministers to make a decision that sets aside the very clear and compelling legal opinion of Mr Neil Finkelstein, ignoring that advice and going forward and paying \$600,000 in an action where, according to Mr Finkelstein, the people of Ontario have no interest and have no legal obligation or liability?

Hon David Johnson: Not being there, not being on the Board of Internal Economy when the decision was made, I can only assume that a particular legal advice to the members was one input that they received. I understand there may have been other legal pieces of input. I don't know for sure; I wasn't there. There may be other advice they received surrounding the circumstances of this whole issue.

Again, my understanding is that the legal costs were going up and up month by month, year by year, that it was not apparent that there would be some resolution to this matter in the near future, and that taxpayers may have been on the hook for considerably more costs as the years went by. The Board of Internal Economy made a decision they felt was prudent: to put a cap on the cost, to stop the increase and the exposure to the taxpayers and to settle this matter and let everybody get on with their lives.

The Speaker: New question.

Mrs Marion Boyd (London Centre): My question is to the Attorney General. As the Attorney General, you have the very serious responsibility of soliciting and providing legal advice to the government of Ontario when the government and/or you as its chief law officer are

named as co-defendants in civil law matters. To assist you, you have a very large number of experienced, salaried lawyers on your crown law office civil staff who examine the facts of such suits, provide advice and accept instructions for action in defence of such matters.

You, Attorney General, and the government of Ontario were from the very beginning co-defendants with the Legislative Assembly, the Speaker, the Board of Internal Economy and its members in the matters pertaining to the McLean-Thompson matter. Would you please tell this House what advice you were given and what advice or instructions you provided with respect to the suits brought against you and the government by Ms Thompson and Mr McLean?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): The member knows, quite simply, that legal advice that's given is privileged advice given between clients and their counsel.

What I can tell the member is this: The Legislative Assembly was a defendant in this lawsuit and the Legislative Assembly had attempted to remove itself as a party from this lawsuit. They were not able to do so, and at that stage of the proceedings legal bills on behalf of the Legislative Assembly had reached \$200,000. A decision had to be made as to whether it was realistic to continue with this kind of lawsuit where the Legislative Assembly was a party, where they were incurring expenses, where the actual proceedings had not yet started. The Board of Internal Economy, indeed, made a decision that the costs were prohibitive and that the prudent thing to do was to settle the claim and they did.

Mrs Boyd: As you will know, Minister, and as the members of the Board of Internal Economy will know, I asked again and again where you were in this matter, as a co-defendant, where you were as the chief law officer and what advice your minister had given around this matter. You were not at the table; you did not give any advice. Except, of course, we've noticed that you constantly give advice to the Premier and the Acting Premier day after day here.

Your Premier stood here yesterday and tried to tell us that no one in his caucus, except the members of the Board of Internal Economy, knew anything about this or had any authority in this. In fact, you yourself and the government of Ontario were co-defendants in this matter, and it is inconceivable to me that you did not provide advice on this matter.

Minister, I'd like to ask you again: As a co-defendant, were you a party to the settlement? Were you consulted about the settlement? Did you agree to the settlement which you should have had to do as a co-defendant in these matters?

Hon Mr Harnick: The Board of Internal Economy reviewed the issues. They took a look at the costs that had been incurred to that point. They took a look at the fact that the Legislative Assembly had incurred costs of \$200,000 before any formal proceedings had even begun in the lawsuit other than a motion that kept the Legislative Assembly in the lawsuit.

One of the things I notice in the tenor of the questions is that there's a feeling here that everybody who asks a question knows what the liability issues were. No one knows what would have happened at the end of this lawsuit and no one in this Legislative Assembly can tell us whether at the end the costs incurred by the Legislative Assembly would ever be recoverable from either of the parties. The Board of Internal Economy made a very prudent decision, and the prudent decision was that before costs escalated any further, they elected to try and settle the case. That was the right thing to do.

Mr Hampton: On a point of order, Mr Speaker: Does that now mean that the Attorney General is speaking on behalf of the Board of Internal Economy, because he wasn't speaking as Attorney —

The Speaker: I understand your point of order. It would appear to be that the answer is yes.

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr Bart Maves (Niagara Falls): I received a copy of the NDP press release dated today. It claims that the standing committee on public accounts did not meet this morning. It also claims that the Harris government blocked the committee from meeting. Furthermore, it claims that the government members are blocking the review of section 3.01 of the Provincial Auditor's report. Did this happen, and is this true?

The Speaker (Hon Chris Stockwell): Who are you asking?

Mr Maves: The government whip, the House leader.

The Speaker: Hold on. I don't know how this is germane to the House leader. It seems to me like a question that should properly be posed to the chair of the public accounts committee. To me, it's not in order for you to question the House leader about what happened at a committee.

Hon Jim Wilson (Minister of Energy, Science and Technology): It is point of public interest.

1510

The Speaker: I'm not arguing with respect to the point of public interest. I'm arguing as to what the House leader could possibly give you in the way of information.

Interjection.

The Speaker: If you want to stand and explain, I'll certainly hear your explanation.

Mr Maves: The explanation is, Speaker, that the press release blames the Harris government for —

The Speaker: Whose press release?

Mr Maves: The NDP's press release. I asked the government House leader because it blamed the government.

Interjections.

The Speaker: Order. I'm having a great deal of difficulty determining the link between government policy and decision-making and an NDP press release about a committee meeting. If you want to help me, House leader, I'll listen.

Mr Maves, you may stand in your place and I'll allow you to put another question to another minister. The supplementary can go elsewhere, but you have to put a question to somebody.

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: If you think it's in order, we'd be quite happy to have one of our members answer the question.

The Speaker: Member for Niagara Falls.

Mr Maves: I direct my question, based on the same press release, to the Minister of Community and Social Services. Could she discuss whether or not the press release is correct when it says the government has paid out \$180 million to Andersen Consulting?

Hon Janet Ecker (Minister of Community and Social Services): I am very pleased with the question because I think this particular document is in error in several points.

First of all, the committee was informed that due to the funeral of a personal family friend, the parliamentary assistant was not able to be there today. They were notified of that. They were asked to delay until Monday morning to have the discussion which quite rightly should go to the public accounts committee. Instead, they chose to score cheap political points by putting out a press release that is inaccurate not only in what occurred at committee this morning, but secondly in the claim that someone received \$180 million. As they know, that is not true, and I wish they would stop misrepresenting the comments of the auditor.

The Speaker: You're out of order. You must withdraw that.

Hon Mrs Ecker: I withdraw.

The Speaker: Supplementary.

Mr Maves: Does the minister know if hearings will be continued at a later date on this issue?

Interjections.

The Speaker: Member for Niagara Falls, can you put your question again? I'm not hearing it. Please come to order, opposition. The clock is running. It's your time.

Supplementary.

Mr Maves: Does the minister know if the parliamentary assistant will be attending future public accounts hearings on this issue?

Hon Mrs Ecker: As the members across the way were informed, we wished to move it from today to Monday because of the funeral that Mr Carroll had to attend. I really find it quite passing strange that they would wish to make allegations about what happened at the committee today when they know it's going to public accounts. We look forward to the public discussion. As we've said, we'd be quite happy to implement any further recommendations from the auditor on any issue of this kind, and they know that.

BOARD OF INTERNAL ECONOMY DECISION

Mr Sean G. Conway (Renfrew North): I want to go to the Attorney General, the chief law officer for the

crown for the people of Ontario. Minister, in your capacity as the government's top lawyer, can you explain to this House and the taxpayers of Ontario how your cabinet colleagues the Minister of Transportation and the Minister of the Environment could go earlier this week to a meeting and appropriate hundreds of thousands of dollars of public money to settle a claim between two individuals, Mr McLean and Ms Thompson, in what primarily was a matter of sexual harassment when one of the country's most distinguished lawyers, Mr Neil Finkelstein, specifically and clearly advised that on a legal basis they, your ministerial colleagues, not do so?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I read briefly Mr Finkelstein's report, and it's very interesting that Mr Finkelstein doesn't comment on the fact that \$200,000 in costs had been incurred by the Legislative Assembly before the formal proceedings had apparently even started in the case. Mr Finkelstein did not go on to say whether those costs would in fact be recoverable.

I think it's not unrealistic, when you've incurred \$200,000 worth of expenses where you don't know whether those expenses are going to be recoverable and where those expenses will escalate significantly when the lawsuit begins, that you take a look at a particular situation and take steps because it's reasonable to perhaps settle it. I think that's what the Board of Internal Economy did.

Mr Conway: A very helpful answer, because it's very clear the Attorney General is well aware of what's transpired here.

The question remains. Neil Finkelstein advised the Board of Internal Economy, dominated by ministers of the crown — Mr Clement, the Minister of Transportation; Mr Sterling, the Minister of the Environment. They carried the day. They agreed to pay nearly \$300,000 in costs and damages that Mr Finkelstein said they ought not to pay. Yes, the board had incurred some of its own costs, and that was something the board was going to have to accept. But Mr Finkelstein made plain in his letter to the board, to those two cabinet colleagues of yours, you are not obligated and you should not pay the legal costs and the alleged damages of these two parties that are engaged in essentially a private action.

What I want to know on behalf of the taxpayers of Ontario is, why did your cabinet colleagues ignore the very powerful and compelling advice that Mr Neil Finkelstein provided?

Hon Mr Harnick: Mr Speaker, I'm going to refer that to the Minister of Education.

Interjections.

Mr Gilles Pouliot (Lake Nipigon): You've got to remember, he said, "Shut up."

The Speaker (Hon Chris Stockwell): Member for Lake Nipigon, that's out of order. Please.

Hon David Johnson (Minister of Education and Training): One of the members of this House is aware of all of the details involved in this particular situation, which is a difficult situation, an unfortunate situation. The

members of the Board of Internal Economy are those members who are most privy to all of the details. They have been appointed to look after all matters pertaining to this Legislature, and this particular matter falls under their jurisdiction.

My understanding is that in addition to any legal advice they may be getting, they're getting all sorts of other pieces of information, whatever it is, and they are making the best choice they can on behalf of the taxpayers of Ontario. Sometimes that choice is to carry on through legal proceedings and incur costs year after year. Sometimes the best choice, as they apparently have made in this particular case, is to make a settlement, put a cap on the expenses, give the taxpayers a break and let everybody get on with their life.

The Speaker: New question, leader of the third party.

Mr Howard Hampton (Rainy River): A question to the Attorney General: Yesterday we heard the Premier say, "Quite frankly, neither I nor any other member of this caucus, in fact until the settlement, has been given a lot of the facts and the details, including the fact that there's only one legal written opinion...."

1520

It's apparent from your earlier answers that you know quite a lot about this. Mr Attorney General, you were a co-defendant, which means that lawyers in the Ministry of the Attorney General would have given you a legal opinion about this. The fact that \$600,000 of public money, of taxpayers' money, has now gone to hush up Mr McLean's sexual harassment affair means that indeed this is a public issue. The people of Ontario have a right to know. What was the advice of the lawyers who work for Ontario in this matter? Will you tell us what the legal opinion was from within the Ministry of the Attorney General?

Hon Mr Harnick: There is no question, and I say this to the leader of the third party, that the Legislative Assembly was a party to this action, as was the province of Ontario via the Ministry of the Attorney General. They are two separate parties. The issues pertaining to them are very different.

From what I've been provided by the member for Downsview, in terms of looking at a legal opinion, it was quite apparent that \$200,000 had been expended in costs by the Legislative Assembly and the lawsuit had not proceeded. It was very reasonable under those circumstances to take a look at the level of costs, to understand that they were going to escalate considerably when a lawsuit was going to take place, and it was certainly a reasonable thing to do to try and get it settled.

Mr Hampton: You're quite willing to stand here and be critical of the expert opinion of Mr Finkelstein, who was quite aware of the case, you're quite willing to quote here another legal opinion where he says, "I give no opinion about the merits of the case because I don't know anything about it," yet you refuse to tell us what the legal opinion of your own lawyers in the Ministry of the Attorney General was.

I think if your government is going to approve the expenditure of \$600,000 of public money to settle a private sexual harassment case involving one of your good old boys, the public of Ontario is entitled to know the legal opinion of the lawyers in the Ministry of the Attorney General.

Hon Mr Harnick: The Ministry of the Attorney General acted on behalf of the province of Ontario. Their involvement was very distinct from the involvement of the lawyer acting for the Legislative Assembly. The issues pertaining to those two different defendants were very different. The question I'm being asked is completely ridiculous and inappropriate, and unconnected to the decisions that were made by the Board of Internal Economy.

VOLUNTEER FIREFIGHTERS

Mr Bill Grimmitt (Muskoka-Georgian Bay): My question is to the Minister of Labour. It is about volunteer firemen. Recently in my riding I attended a ceremony where the volunteer firemen were celebrated in the township in which they are volunteers. Throughout my riding, most of the firefighting is done by volunteers, as is the case throughout most of Ontario.

Last week you introduced the Emergency Volunteers Protection Act and I understand that's intended to amend the Workplace Safety and Insurance Act. I'm being asked by volunteer firemen in my riding when we might expect this legislation to move ahead. Could you provide the House with a report?

Hon Jim Flaherty (Minister of Labour): I thank the honourable member for Muskoka-Georgian Bay for the question. Indeed, volunteer firefighters are an important part of emergency services around the province of Ontario, including 60 volunteer firefighters in the service of the town of Whitby, which I'm proud to represent in this place. I also thank my colleague Ted Arnott, the MPP for Wellington, for taking the lead in bringing this initiative before the House.

This bill, if passed, would address concerns raised by municipalities and volunteer emergency workers around Ontario. It would ensure that volunteers would not be penalized for their selfless work in coming to the aid of their neighbours in emergency circumstances.

The Emergency Volunteers Protection Act would allow municipalities to select the amount of coverage they desire for volunteer firefighters and for volunteer ambulance workers.

The Speaker (Hon Chris Stockwell): Answer.

Hon Mr Flaherty: It places an obligation on the full-time or part-time employer to continue employment benefits, co-operate in return to work and offer re-employment. It is important emergency work —

The Speaker: Supplementary.

Mr Grimmitt: Minister, it certainly is comforting to the firefighters in my riding to hear that there is legislation coming along. I wonder if you can advise the House

whether we can expect this legislation to be in place before Christmas?

Hon Mr Flaherty: I'm hopeful that with the co-operation of the members opposite the Emergency Volunteers Protection Act will be passed before the House rises at the end of this session. It certainly has the support of volunteer firefighters around the province. They're important in all of our communities. I was pleased to receive a letter this week from Chief Allen, the president of the Ontario Association of Fire Chiefs, in which he expressed his support for this legislation and the hope that we would deal with it expeditiously. I'm looking forward to that being accomplished, in response to the member's question, hopefully within the next week.

BOARD OF INTERNAL ECONOMY DECISION

Mr Sean G. Conway (Renfrew North): I have a question to the Attorney General. I listened carefully to your last response to the leader of the third party, and I think a reasonable person would conclude, from your response to Mr Hampton, the following: that you, as Attorney General, having looked at all the factors in the McLean-Thompson case, concluded that it would not have been unreasonable to settle as the Board of Internal Economy did earlier this week. Is that the conclusion to which you came and is that the advice that you, as the Attorney General for Ontario, offered to your colleagues in government?

Hon Charles Harnick (Attorney General, minister responsible for ministerial affairs): I will refer that to the Acting Premier.

Hon David Johnson (Minister of Education and Training): I can only indicate that apparently was the conclusion of the Board of Internal Economy, that a settlement should be reached in this particular manner, and presumably the Board of Internal Economy — I don't know for sure; I wasn't there; you weren't there — had various pieces of advice and information. They acted in the best interests, apparently, of the taxpayers of the province. They had a choice, I guess, to accept whatever advice and perhaps keep this thing going further at the risk of more and more cost to the taxpayers. They had the choice to make a decision to bring an end to this, get all the lawsuits off the table and minimize the risk to the taxpayers. I gather they chose the latter choice.

Mr Conway: There's no doubt what the cabinet-dominated Board of Internal Economy did this week. The Minister of Transportation, your colleague Mr Clement, and the Minister of the Environment, Mr Sterling, forced through the Board of Internal Economy, on division, a settlement that will cost the taxpayers in excess of half a million dollars, including \$380,000 worth of legal costs and damages for the two private parties in essentially a sexual harassment case. They did that against the express advice of one of the most distinguished lawyers in the country, who advised the Board of Internal Economy not to do so.

I wasn't at the meeting and you weren't, but Neil Finkelstein was there with this opinion. I want to know, in the name of the taxpayers who have now paid out or will pay out \$380,000 worth of damages and legal fees to two private parties over the express advice of their lawyer, Neil Finkelstein, what were the other factors at play in the minds of your cabinet colleagues that were of sufficient power and force to set aside the legal advice that the Board of Internal Economy had and that have now cost the taxpayers \$380,000 that their lawyer said they shouldn't be paying?

Hon David Johnson: I'm really unable to indicate to the member for Renfrew North what all the information was they had at that point in time. As you have noted, I wasn't there, you weren't there, and we don't know. That's the nature of the Board of Internal Economy. These are members appointed to look after certain responsibilities.

I do know that the federal government, from all accounts, has spent hundreds of thousands of dollars to support MPs in lawsuits involving wrongful dismissal, for example, so they have had to make these kinds of decisions as well. This same Board of Internal Economy bailed out the Liberal caucus, some \$300,000, in 1994 when the Liberal caucus overspent its budget. These are the kinds of decisions the Board of Internal Economy has to make. They're not always easy decisions. The Board of Internal Economy, as I understand it, took everything into account and attempted to make the best decision on behalf of the taxpayers.

The Speaker (Hon Chris Stockwell): New question, third party.

1530

Mr Howard Hampton (Rainy River): A question to the Attorney General: You were a co-defendant in this sexual harassment claim. That means that when your members on the Board of Internal Economy tried to organize an in-camera settlement of this to quiet it all down — \$600,000 of taxpayers' money to make it go away — as co-defendant you would have received the details of that settlement and you would have received legal advice from lawyers in the Ministry of the Attorney General.

What was the legal advice of lawyers in the Ministry of the Attorney General regarding the Al McLean settlement? Give us the details of that advice — I think, since public money is at stake, the public has a right to know — and did you share that advice with the Premier and other members of the cabinet?

Hon Mr Harnick: This was purely a matter in which the Legislative Assembly assumed control of dealing with the defence of this matter. The Board of Internal Economy provided the instructions to their counsel. The lawsuit, in terms of any formal proceedings, had not started and discussions were at the level of dealing strictly with the Legislative Assembly, the Board of Internal Economy and the various parties.

Mr Hampton: The Ministry of the Attorney General, as co-defendant, would have received the details of this

settlement. In fact, so that this will settle all of the possible lawsuits that come out of this, you frankly would have had to have agreed with the settlement; otherwise not all of the lawsuits will be settled.

You would have received legal advice from lawyers in the Ministry of the Attorney General. What is the legal advice of lawyers in the Ministry of the Attorney General with respect to the potential liability of the AG's office, of the government of Ontario? Since public funds are being expended here to rescue your good buddy Al McLean, the public has a right to know. What is the legal advice, what legal advice has been received from lawyers, and did you share that advice with the Premier and other members of your cabinet?

Hon Mr Harnick: Again, the premise of that question is totally wrong. The parties that were involved in discussions of settlement were those that included the Legislative Assembly and other parties to the action. The Ministry of the Attorney General was not involved in those discussions. The Ministry of the Attorney General was a party in name. I think if the member asks counsel why the Ministry of the Attorney General was there, they were there because they were concerned about making sure all the necessary parties who had to be there were there, and any discussions that took place involved the Board of Internal Economy and the plaintiff and the defendant McLean.

NIAGARA PENINSULA HIGHWAYS

Mr Tim Hudak (Niagara South): My question is to the Minister of Transportation, and in the interests of time I'll combine both my question and my supplementary.

As the minister is aware, the Niagara Peninsula has experienced substantial increases in traffic, both commercial and tourist. In fact, to adjust to that, the Peace Bridge is planning a \$200-million twinning project to be completed by 2002. I know communities in south Niagara like Port Colborne, Wainfleet and even Dunnville in Haldimand-Norfolk experience economic challenges because they don't have direct access to a major highway thoroughfare.

In a speech in this House in 1996, I called on the government to move towards a mid-Peninsula corridor through the Niagara Peninsula which would bring benefits to the Port Colborne, Wainfleet, Fort Erie and Dunnville areas. What is the minister's stance on the mid-Peninsula corridor and improving highway links in the Niagara Peninsula?

Hon Tony Clement (Minister of Transportation): I'm pleased to stand in my place and answer this question and inform the honourable member in this House that in fact as of today the Ministry of Transportation is releasing the transportation studies on the mid-Peninsula corridor and the Niagara gateway. Every day in this province of Ontario over \$2.7 billion-worth of goods are transported on our highways. This means jobs. This means opportunity for Ontarians. But the growth is there too. In fact, if we do nothing, that growth is going to double on the current road

stock, particularly on the QEW, which is one of our major highways.

What we're suggesting through our study is that not only do we have to expand the QEW, but perhaps there has to be another mid-peninsula corridor. I am looking forward to working with the private sector, with other government agencies and with the representatives of the good Niagara region to make sure we have more tourism, more transportation opportunities and more growth in that region. I'm looking forward to it.

NOTICE OF DISSATISFACTION

Mr Sean G. Conway (Renfrew North): On a point of order, Mr Speaker: I rise under standing order 37(a) to serve notice of my dissatisfaction with the answers given me this afternoon by the Acting Premier, the Minister of Education, on the McLean-Thompson matter and to seek an early opportunity to discuss this matter after adjournment.

The Speaker (Hon Chris Stockwell): File the papers and it will be done.

Mrs Marion Boyd (London Centre): On a point of order, Mr Speaker: I would also like to express dissatisfaction with the answers of the Attorney General, and I will be filing the appropriate papers.

The Speaker: So be it.

DELIVERY OF LETTERS

The Speaker (Hon Chris Stockwell): I just tried to find Mr Gilchrist to ask him to attend the House, because I've received the information he was seeking earlier in question period.

Mr James J. Bradley (St Catharines): I think he's watching on TV outside.

The Speaker: Thank you.

Interjection: Here he is.

The Speaker: To the member for Scarborough East and the member for York South, who made statements today with respect to this issue that was beforehand, I will continue to investigate this matter if Mr Gilchrist can provide me any evidence to substantiate the charges you make. According to our security staff, they don't substantiate your arguments.

Mr Steve Gilchrist (Scarborough East): I would like to get the specific security officer.

The Speaker: No. I appreciate what you can do. Please take your seat. All I can do is explain to you that the report I've received from our security office does not implicate Mr Kennedy at all. It doesn't implicate Mr Kennedy or Ms Boyd, who was also part of the —

Interjection.

The Speaker: Member for Scarborough East, would you please come to order. I have the floor when I'm speaking. If you want to respond, I'll be happy to listen to you.

It does not implicate Mr Kennedy nor Ms Boyd, who was also receiving envelopes for her caucus at the time.

There seems to be a mix-up, but it was internal to the Conservative caucus.

I will be happy to discuss this at a future date. If you want to respond at this time, we will, but if you would like to meet in private to discuss this further rather than in this public forum, and I would suggest it would be better, then I will do that.

Mr Gilchrist: On a point of order, Mr Speaker: I will certainly take you up on your offer. I was present at the desk where confirmation was given to me of all of the facts I gave to you earlier. Furthermore, the issue, as I say, was the representation, the phone call, to the whip's office. That is incontrovertible. The statement stands from the staff member.

I will meet with you —

The Speaker: Member for Scarborough East, I just asked you not to bring it forward, but if you want to continue to work on the details, I'll give them to you. The person who made this phone call was not an employee of Mr Kennedy nor an employee of Ms Boyd. This was a private citizen who was in there attempting to make deliveries. It had nothing to do with the opposition members' offices.

Interjection.

The Speaker: Member for Scarborough East, will you stop talking. If you want to know how they got signed in, they phoned Mr Kennedy's office and phoned Ms Boyd's office to ask to sign them in so they could deliver them to their caucuses. They may have done something untoward, but it was not the fault of Mr Kennedy nor Ms Boyd.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): On a point of order, Mr Speaker: I seek unanimous consent to revert to motions so that I might move a motion with regard to Bill 88.

The Speaker: Agreed? Agreed.

1540

MOTIONS

STATUS OF BILL 88

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I move that Bill 88, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of Adoption Disclosure, be discharged from the committee of the whole House and be ordered referred to the standing committee on social development.

The Speaker (Hon Chris Stockwell): Mr Sterling moves that Bill 88, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of Adoption Disclosure, be discharged from the committee of the whole House and be ordered referred to the standing committee on social development, according to the crib notes I've received.

Agreed? Agreed.

PETITIONS

AIR QUALITY

Mr Rick Bartolucci (Sudbury): I have a 507-signature petition, 39 pages, to the Ontario Legislature.

"Whereas SO₂ emissions from mining and smelting operations remain a serious threat to the health, environment and property of Sudbury citizens;

"Whereas there continues to be ongoing intolerable peaks in levels of SO₂ emissions from mining and smelting operations;

"Whereas the threat of fugitive emissions remains constant to the Sudbury region;

"Whereas existing government regulations and thresholds for SO₂ emissions may be in need of immediate reassessment;

"Whereas the elimination of 26 regional Ministry of the Environment jobs by the Harris government has resulted in lowered monitoring effectiveness;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government aid the citizens of this community in having these emissions monitored closely and reduced significantly."

This petition is from the Clean Air Committee of Sudbury, and I affix my signature to it as I am in complete agreement.

HOSPITAL RESTRUCTURING

Mrs Marion Boyd (London Centre): I have a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas we are the residents covered by the tri-county, Lambton-Kent-Essex; and

"Whereas we are the taxpayers covered under the Health Services Restructuring Commission, Lambton hospitals; and

"Whereas we are the health care providers and users;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to reinstate all complex continuing care beds and transitional care beds and funding slated to be removed under the Lambton hospitals restructuring report."

There are thousands of signatures here and I am proud to affix my signature.

BOATING SAFETY

Mr Bill Grimmett (Muskoka-Georgian Bay): I have a petition which I will summarize in accordance with the standing orders.

The 18 people from my riding who have signed this petition have indicated a concern about impaired boating and they urge the Legislature to pass Bill 59, the Highway Traffic Amendment Act. I file that today.

SCHOOL CLOSURES

Mr Richard Patten (Ottawa Centre): I have a petition to the Legislature of Ontario:

"Whereas schools are the focus of a community and closure of schools weakens the community and initiates a cycle of decay;

"Whereas the new provincial funding formula is irrational, unworkable and has failed to legitimately reflect capacity or space requirements;

"Whereas the funding formula threatens childcare facilities, special programs and ignores community use or need;

"Whereas the funding formula pits school against school and forces the sale of educational facilities;

"We, the undersigned, petition the Legislature of Ontario as follows:

"Withdraw the funding formula in its present form and commit to a rational process that will benefit children and communities;

"Measure and value community use of schools within a process acceptable to all stakeholders;

"Facilitate partnership of local boards with their communities to negotiate the most effective use of schools on a cost-recovery basis, emphasizing community needs;

"Increase funding to realistically meet the goal of higher quality education."

I have affixed my signature to this petition as well.

ONTARIANS WITH DISABILITIES
LEGISLATION

Ms Frances Lankin (Beaches-Woodbine): "Whereas Ontarians with disabilities face many barriers when they seek to participate in all aspects of Ontario life; and

"Whereas there is an urgent and pressing need for a new, strong and effective law to achieve a barrier-free Ontario for people with disabilities; and

"Whereas Premier Harris promised in writing during the 1995 election to work together with the Ontarians with Disabilities Act Committee to develop this new law, to be called the Ontarians with Disabilities Act, and to pass it in his first term; and

"Whereas the Ontario Legislature unanimously passed a resolution on October 29, 1998, calling on the government to make sure that this law is strong and effective, and embodies the 11 principles set out in the resolution, to make sure that the law is strong and effective, not weak and window dressing,

"Therefore, the undersigned

"1. Call on the Ontario government to enact a strong and effective Ontarians with Disabilities Act in this term, before calling an election, which fully complies with unanimous resolutions of the Ontario Legislature passed on October 29, 1998.

"(2) Call on Premier Harris to immediately meet with the Ontarians with Disabilities Act Committee, instead of continuing to refuse to meet with them, since he promised during the last election to work together with this broad-based disability coalition to develop this law.

"(3) Call on Premier Harris to immediately direct his citizenship minister, Isabel Bassett, to stop making the false claim that the Ontario Legislature's October 29, 1998, resolution calls for job quotas, since it includes nothing of the sort."

It's signed by many people from the disability community and was sent to me by Sandy Russill from the Canadian Hard of Hearing Association. I'm in complete agreement and will affix my signature to this.

ADOPTION

Mr John O'Toole (Durham East): Madam Speaker, I'm very pleased to present a petition today, and it's a very appropriate day because it's on Bill 88, presented in the name of Ms Churley, the member for Riverdale, who I'm sure you're very familiar with. This is the letter I've received in support of it, but I've a number of petitions here also in support of the adoption issue. I'll just read the interesting introduction.

"To the Legislative Assembly of Ontario:

"Whereas the Adoption Reform Coalition of Ontario (ARCO) brings together various organizations to recommend reform of Ontario adoption law based on honesty, openness and integrity;

"Whereas existing adoption secrecy legislation is outdated and unjust;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child; these rights are denied to persons affected by secrecy provisions in adoption laws of the Child and Family Services Act and other acts in Ontario...."

I have read this petition before. I am in support of it, as I supported Bill 88 today, and am pleased to present this petition.

ELECTION CALL

Mr Pat Hoy (Essex-Kent): "To the Legislative Assembly:

"Whereas the current provincial government under Mike Harris has destroyed labour relations, gutted the WCB, caused rampant dependence on gambling, has contributed to mass homelessness and poverty while eroding our health care, educational and municipal institutions, we, the people of Chatham-Kent, are demanding that an election be called now, before the province is destroyed, morally, ethically and financially."

It's signed by a number of residents from Merlin, Blenheim, Chatham and Grande Pointe. I affix my name to it.

SCHOOL CLOSURES

Mr Rosario Marchese (Fort York): I've got a couple of hundred petitions here and they read:

"To the Legislative Assembly of Ontario:

"Whereas a school such as Montrose Junior Public School has been a valid and meaningful part of our community for 35 years;

"Whereas a school such as Delta Senior Alternative School provides unique programming for the specialized needs of students using has made Montrose its home for over 10 years;

"Whereas a properly funded quality education system is critical to the well-being of the children of this province and to the future of the province itself;

"We the undersigned petition the Legislative Assembly of Ontario as follows:

"That the Legislative Assembly provide sufficient school funding for the education of our children and the future of our province."

I sign this petition.

REMEMBRANCE DAY

Mr Joseph N. Tascona (Simcoe Centre): I have a petition I'd like to present. It reads as follows:

"Whereas it is important to honour the courageous memory and sacrifices of Canada's war dead and of our veterans who fought in defence of our national rights and freedoms;

"Whereas there is a need for succeeding generations of young, school-age Canadians to learn more about the true meaning of Remembrance Day;

"Whereas Ontario veterans' associations have created excellent education materials for use in Ontario schools on the meaning and significance of Remembrance Day;

"Whereas a special Remembrance Day curriculum for all grades in Ontario's education system, developed on the basis of the programs by the Ontario veterans' associations and involving their direct participation, would increase awareness of, and appreciation for, Canada's wartime sacrifices in the hearts and minds of all Ontario citizens;

"Therefore we, the undersigned, petition the Parliament of Ontario as follows:

"That the provincial Ministry of Education and Training ensure that a suitable Remembrance Day learning unit be included in the curriculum of all grades of Ontario's education system."

I have hundreds of signatures here. I support this petition and I affix my signature.

1550

BOARD OF INTERNAL ECONOMY DECISION

Mr Rick Bartolucci (Sudbury): I have just received this petition from several people. It's a petition to the Legislative Assembly of Ontario.

"Whereas the Mike Harris government has decided taxpayers of Ontario should pay the legal fees of his own member in a government sex scandal; and

"Whereas the Legislature's own lawyers have advised against this poorly considered action; and

"Whereas we, the undersigned, think the Mike Harris government is trying to hush up this sex scandal by settling it quickly behind closed doors;

"Therefore we, the undersigned, call upon the Harris government to justify this gross misuse of taxpayers' dollars or to step down as government."

Of course, I affix my signature to this petition.

REMEMBRANCE DAY

Mr Joseph Spina (Brampton North): I have a petition signed by almost 100 members of Branch 15, Royal Canadian Legion, many of whom are members of that group in Brampton. It says:

"Whereas it is important to honour the courageous memory and sacrifices of Canada's war dead and of our veterans who fought in defence of our national rights and freedoms;

"Whereas there is a need for succeeding generations of young, school-age Canadians to learn more about the true meaning of Remembrance Day;

"Whereas Ontario veterans' associations have created excellent education materials for use in Ontario schools on the meaning and significance of Remembrance Day;

"Whereas a special Remembrance Day curriculum for all grades in Ontario's education system, developed on the basis of the programs by the Ontario veterans' associations and involving their direct participation, would increase awareness of and appreciation for Canada's wartime sacrifices in the hearts and minds of all Ontario citizens;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the provincial Ministry of Education and Training ensure that a suitable Remembrance Day learning unit be included in the curriculum of all grades of Ontario's education system."

I agree with this and I concur.

HOTEL DIEU HOSPITAL

Mr James J. Bradley (St Catharines): I have petitions in support of the Hotel Dieu Hospital in St Catharines that read as follows:

"We, the undersigned, oppose the proposed closure of Niagara's only denominational hospital and the devastating effects that proposal will have on patients and potential patients from across the region.

"We ask that the Health Services Restructuring Commission reassess its recommendations for the Niagara region and ensure quality, accessibility and affordability through a continued role for the Hotel Dieu Hospital in St Catharines."

I affix my signature. I'm in complete agreement.

ADOPTION

Mr John L. Parker (York East): Madam Speaker, I have a petition addressed to the Legislature of Ontario. It reads as follows, and I commend it to your interest:

"Whereas the Adoption Reform Coalition of Ontario (ARCO) brings together various organizations to recommend reform of Ontario adoption law based on honesty, openness and integrity;

"Whereas existing adoption secrecy legislation is outdated and unjust;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child; these rights are denied to persons affected by secrecy provisions in adoption laws of the Child and Family Services Act and other acts in Ontario;

"Whereas 20% of persons in Ontario are directly or indirectly affected by restricted rights to personal information available to other citizens;

"Whereas the adopted person's right to his/her birth identity is rooted in a basic and fundamental human need;

"Whereas most birth parents did not ask for lifelong confidentiality; it was imposed on them involuntarily;

"Whereas research shows that not knowing basic personal information has proven harmful to adopted persons, birth parents, adoptive parents and other birth relatives;

"Whereas research in other countries has shown that unqualified access to information in adoption satisfies the overwhelming majority of the parties involved;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to:

"Permit unrestricted access to full personal identifying birth information to adopted persons and adult children of adopted persons, and unrestricted access to the adopted person's amended birth certificate to birth parents, birth grandparents, siblings and other birth relatives, when the adopted person reaches age 18.

"Permit unrestricted access to identifying information to adoptive parents of minor children, emancipated minor adoptees and individuals with legal guardianship for an adopted person in special circumstances;

"Allow adopted persons and birth relatives to file notice stating their wish for no contact;

"Replace mandatory reunion counselling with optional counselling;

"Permit access to agency and court files when original statistical information is insufficient for identification of and contact with birth relatives;

"Recognize open adoptions in the legislation."

ORDERS OF THE DAY

ENVIRONMENTAL STATUTE LAW AMENDMENT ACT, 1998

LOI DE 1998 MODIFIANT DES LOIS EN CE QUI CONCERNE L'ENVIRONNEMENT

Resuming the adjourned debate on the motion for second reading of Bill 82, An Act to strengthen environmental protection and enforcement / Projet de loi 82, Loi visant à affermir la protection de l'environnement et les mesures d'exécution à cet égard.

The Acting Speaker (Ms Marilyn Churley): Who's up? The member for Fort York? Go ahead.

Mr Rosario Marchese (Fort York): Thank you, Madam Speaker. I'm happy to have this opportunity to speak to this bill, a bill that you covered very adequately, I would say, last week.

I want to begin by saying that we are pleased to have this bill in front of us. The member for Northumberland last week —

Mr James J. Bradley (St Catharines): They're whacking the environmentalists.

Mr Marchese: They did whack the environmentalists before, and we think it will continue.

The member for Northumberland was very critical of the fact that we were critical of what this government has done, not necessarily with this particular bill but with a whole lot of other criticisms that you, Speaker, have made and that I will be addressing again today.

With respect to Bill 82, we are happy that it is before us. We know the member for Algoma had introduced this as a private member's bill, because we were going to do much of this when we were in government. It was a continuation of what we had begun. I'm pleased that this government has taken this private member's bill, introduced by the member for Algoma, and made it theirs, albeit a couple of years later. Why it would take two or three years to introduce a bill that was essentially duplicated in every way, we don't know.

Mrs Marion Boyd (London Centre): Point of order, Madam Speaker: I think it's going to take a little longer, because we don't appear to have a quorum in the House.

The Acting Speaker: Clerk, could you check and see if there's a quorum, please.

Clerk at the Table (Mr Todd Decker): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: Member for Fort York.

Mr Marchese: The member for London Centre was just reminding the Tory caucus members not to leave this chamber, because she'll call them back. So please stick around. We have a few things to say and you can have your two-minute rebuttal when we do this. Don't go away; it's a fun place from time to time.

On the issues I was addressing earlier, it took them a couple of years to introduce a bill that the member for Algoma had introduced as a private member's bill, but we're happy it came. It's always better late than never. The question we ask is, why does it take so many years, when the environmentalists out there are crying foul against abuses of the environment which affect us as human beings?

Often we speak of the abuses of the environment as if somehow the environment is a neutral body out there that doesn't have feelings. The point is, of course, the environment is very much connected to us. We populate this place, so when the environment gets affected, we are all affected as well. We've got a problem in terms of how we deal with these abuses. The fact that it took years to introduce a bill that we support is a problem. We have no problem with the fact that in relation to prosecution we have increases of fines and use of jail terms to crack down on polluters. We think that's a good thing. Why would it take a couple of years to introduce something we should have had in place, to deal with abuses?

1600

"Provides for restitution and forfeiture of property upon conviction." "Stops additional offences using same equipment." "Provides for forfeiture for collection of unpaid fines." Good stuff. "Investigation and inspection: Provides for the securing of scenes to protect evidence." "Allows for the use of flashing red lights on MOE investigation vehicles," which is fine. "Allows for seizure of licence plates and permits of polluters," and on and on.

These are things, of course, that we support. What the New Democrats have said in relation to all of this is that we are lacking the personnel power to be able to deal with prosecution, investigation, inspection and compliance. The most egregious of all, Speaker, and you know this because you've raised this yourself in the House, is that they have laid off 750 staff and cut \$150 million from the ministry budget since 1995. That is egregious — it's a whole lot of human beings. I'm sorry, Minister for the Environment, I can't hear you very well.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): Laid off 800; you laid off more than we did over there.

Hon Jim Wilson (Minister of Energy, Science and Technology): You laid off 800.

Mr Marchese: Oh, we laid off 800.

The Acting Speaker (Ms Marilyn Churley): Order, please.

Mr Marchese: Let it be known for the record that this government is spending more and more money than ever before, contrary to the other notion that they are doing more with less. We often have contradictory evidence given in this place. On the one hand, they say they do more with less, on the other hand, they say they're doing less with more. It's difficult to say.

What the Minister of the Environment is saying is that they haven't laid off anybody. What we're saying is that 750 of their staff have been laid off since 1995, once these fine people took rein, took control of this place. They have

done this and we are worried about what that implies. How can you involve yourself on matters of monitoring the environment, monitoring the abusers, if you don't have the staff any longer to monitor those abuses? How do you enforce —

Hon Mr Sterling: Fifteen hundred.

Mr Marchese: Oh, I see, the Minister is crowing there that he's still got a couple of staff, or plenty of staff, to still do the job. Happy to hear you say that, Minister. But a whole lot of other people have complained against you, personally as a minister, and against your government for a whole lot of abuses against the environment.

Hon Mr Sterling: All your lefty friends. I expect that.

Mr Marchese: Lefty friends of mine? Okay. We're talking about the North American Commission for Environmental Co-operation; we're talking about the Canadian Environmental Law Association; we're talking about the Commission for Environmental Co-operation. The Environmental Commissioner, who assuming is a watchdog —

Hon Mr Sterling: Your appointee.

Mr Marchese: Our appointee.

The Acting Speaker: Minister of the Environment, you're not even in your seat.

Mr Marchese: Speaker, I enjoy that. I don't mind the exchange. No, you continue, Minister of the Environment. And, Jim, nice to see you here. It's good for the former Minister of Health to hang around. Is the Minister of Transportation still here?

Mrs Boyd: On a point of order, Madam Speaker: If we're talking about people who are and aren't here, there are not enough people here to create a quorum.

The Acting Speaker: Could you check and see if there's a quorum.

Clerk at the Table: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The member for Fort York.

Mr Marchese: Getting back to the abuses — and I'm happy you're here, Minister of the Environment. It's good to have this dialogue between you and me. I want to know the kinds of criticisms that have been levied against him and I want him to hear it and respond. He'll have his two minutes for sure, and maybe 20 minutes; I'm not sure. You need to respond to these. The Ministry of the Environment has sustained cuts of 45% to its operating budget.

Hon Mr Sterling: No, you can't say that.

Mr Marchese: You deny that, Minister? It's good. That's why you're here, so you can stand up and say, "No, that's not true." Maybe it's 43%, give or take a percent. OK, that's fine.

We've had 81% cuts to the capital budget. That's a big deal. Yes? No? Are you nodding? No, no response.

I know that I said 750 staff but I may have been wrong, because I have in front of me another figure which says 880 staff fired. But the Minister of the Environment assures me that he's got enough people there to do the job.

Interjection.

Mr Marchese: The Minister of Municipal Affairs and Housing assures me of the same. Well, people in the environment are not so assured of the same. When you fire people — and you have the intention of firing yet another 13,000 people. A whole lot of people from the Ministry of the Environment will continue to be laid off, fired completely, positions gone.

The Minister of the Environment is cheerfully talking about these great measures that he's introducing, but he'll have no one to do the job. He will have a skeletal office with great policies and procedures and laws, and no one to enforce them. But he goes merrily on, cheerfully undeterred by the task. When we talk about whether the ministry has been stripped of its enforcement, monitoring and inspection staff and resources to do the enforcement of this bill, he smiles cheerfully. I'm assuming, by the cheer: "Everything is OK, Marchese. Not to worry."

People are worried. I'm worried. We're talking about the effects and the abuses and the degradation of the environment having serious consequences on my health. I don't know if he cares about his own health, but I care about mine. I know he drinks expensive mineral water and expensive spring water, probably Evian, San Pellegrino type of water —

Mr Caplan: Perrier.

Mr Marchese: Perrier mineral, but spring water is probably better. He's got the bucks to drink the good water. In that respect he says: "I'm OK. I'm beyond it."

Hon Mr Sterling: On a point of privilege, Madam Speaker: I drink good well water from eastern Ontario. I don't drink Evian. I can't afford that kind of thing.

The Acting Speaker: Minister, that was not a point of privilege, but I'm sure we're all happy to hear that.

Mr Marchese: Speaker, I am convinced he drinks expensive spring water, because it's much better water by and large. It gets purified through that process. But it costs a whole lot of money. A whole lot of poor people can't afford that kind of water, but as a minister of the crown you've got a few extra bucks to buy the good water.

Mr Caplan: He got a tax cut too.

Mr Marchese: He's doing OK.

Look at the other cuts that worry me about what's happening to our environment: This fellow — no, not he, but this government has eliminated the intervener funding. I happen to believe that it's a good thing.

Interjection.

Mr Marchese: Mr Wilson, the Minister of Energy, claps when I say they got rid of intervener funding.

Interjections.

The Acting Speaker: Order, please.

Mr Marchese: The Minister of Energy is quite happy and proud. When I said that they got rid of intervener funding he clapped as a way of suggesting — I'm assuming by the clapping — that he's quite happy with that.

1610

Let me tell you why I'm unhappy with that, Minister of Energy. Intervener funding is an important part of the citizenry being able to protest something that they feel will, in a wilful manner, affect our environment. It permits

citizens who have a stake and an interest in our environment to do so, because it costs money to intervene in legal matters that affect the environment.

The Minister of Energy claps and says, "Yeah, we got rid of intervener funding." Why do you think he claps? Because this is a benefit to those he supports, those who want to stray from processes that would protect our environment. He loves for us to build so he can claim that construction is happening all over the province. He's very happy to be able to diminish the environmental assessment process that would have given us those better protections and would allow us, through intervener funding, one more voice from the general public to be able to protect us all, to protect the public in general.

It is now more expensive under these Tories to acquire files under freedom of information. Everything that people need in this province now is costing a whole lot more essentially because of that \$6-billion income tax cut that they have given, forcing the rest of us, forcing the little person in Ontario, to pay more for everything. They smile gleefully because they know that as long as the 20% of the Canadian population that is doing well economically is doing well, the Tories are fine by those politics and that kind of ideology. It's not fine by us, not fine by me.

Mr Douglas B. Ford (Etobicoke-Humber): Nothing is fine by you.

Mr Marchese: It is fine. I'm telling you, member for Etobicoke-Humber, that this is OK, this bill is fine, except that the money that should be there to enforce, monitor and inspect is not there. The bill is fine. I agreed with you in that regard, but it's got to follow that you need corresponding dollars to make sure the people are there to manage the job that this bill will require them to do.

The auditor makes the point that there are 120 air quality standards that need to be upgraded. The response of this government is no response whatsoever. This government has rewritten the Planning Act that would facilitate urban sprawl, not contain it. This government is happy that it permits the developers build and build in an unbridled way. If the environment happens to be affected by it, that's OK because it's for a good cause; it's going to create jobs.

But if you affect the environment, you're affecting my health; you're affecting the health of each and every Ontarian. You have reduced the subsidies to public transportation, thus relying more and more on the use of the car and the pollutants that those things bring to our environment and the damage it does to my health and the health of our children, the health of all of our people in this province.

The abuses against this government are many. This is the same government that has permitted self-regulation of our industries when it comes to issues of the environment. How could any government with a conscience do that, permit industries to self-regulate? That is the role of government. We can't leave that job to the industry to do. It is your job as a government to regulate the industry, because by it you are protecting us, the general population. When you abandon your role to regulate, you

abandon us all. What you've essentially said to industry and to those companies is, "You can do what you want; we trust you not to pollute our environment," when we know it isn't true, when we know the abuses have been detailed by the people I mentioned: the North American Commission for Environmental Cooperation, the Canadian Environmental Law Association, the Environmental Commissioner for Ontario, the Ontario Medical Association, the David Suzuki Foundation and more. These are just a few. It isn't just an isolated number of experts in the field. There are many that have attacked this minister and this government with respect to what it is not doing to the environment, and specifically on what it's doing against the environment.

It seems to me that when we talk about intervener funding and you get rid of that watchdog kind of role that individual citizens would play, who else do you leave? Mercifully, we've got the Environmental Commissioner still here, but we suspect you're not listening to her. You're not listening to that individual because you say New Democrats appointed her, as if to suggest that individual on her own does not have the knowledge or the capability in that office to monitor what you people are doing or what the abusers of our environment are doing.

Her job is specifically designed to protect me, to protect you, the watcher, to protect Tories, Liberals and New Democrats as well. Her job is to protect all of Ontario, not a specific sector of the population. So to dismiss her and to dismiss all these other groups that I've mentioned as left-leaning people is a serious problem for this government and a serious problem for the population, because you ought to worry.

While we praise the fact that two and a half, three years later this government has picked up on the New Democrat from Algoma's private member's bill, we say to you that the abuses against the environment by your government are many, and in order for this bill to have any effect in terms of monitoring, enforcement and inspection, you need to put in money. Otherwise, this bill is useless.

The Acting Speaker: Questions and comments?

Mr John O'Toole (Durham East): It's a pleasure to respond to the member for Fort York. I recognize that many of his comments were perhaps not directly on the topic of the discussion this afternoon, Bill 82, but more on the politics of some of the language in the legislation. But I did hear some support in his comments and I thank the member for that. I'm pleased to say that I will be speaking on this this afternoon, so stay tuned.

Mr David Caplan (Orléans): I would like to congratulate my colleague the member for Fort York for his remarks here today. He spoke about a number of groups and organizations which have consistently criticized this government for its lack of attention to the environment, for its lack of commitment to environmental protection for Ontarians.

One of the individuals he did not mention, and I know he would have if he had been given more time, was our own Provincial Auditor. In his 1996 report the auditor

criticized the Ministry of the Environment, in fact this Minister of the Environment, because 226 air standards that were identified as needing to be updated as early as 1992 had not been updated. But guess what?

Mr Marchese: I mentioned it.

Mr Caplan: You mentioned that? I'm sorry, I apologize. The member for Fort York mentioned it. But in 1998, two years later, six years after it was originally highlighted to the Ministry of the Environment, guess what? Nothing had happened, not one single air quality standard had yet been updated. I think that really shows the lack of commitment that this government and this minister have to the environment and the protection of the environment.

In fact, you've seen exactly the opposite. They've reduced the amount of staff by 880 positions; 36% of the staff of the Ministry of the Environment have been reduced; they've cut the budget for the Ministry of the Environment 42%. This has been one of the hardest-hit ministries, and it doesn't matter, the tough language contained in Bill 82, if you don't have the people to enforce the standards. If you don't have the staff in the enforcement branch to go out there and to check, it doesn't matter. The commitment is what's lacking in this government, even though this bill does have some good language in it.

1620

Mrs Boyd: I am pleased to have an opportunity to comment on my colleague from Fort York's speech. He's always so passionate about whatever it is that he speaks about and knows very well the passion of the people who form the many groups that seek to safeguard our environment, so he is indeed a good spokesperson for the kind of concerns that those groups express.

It is interesting to hear the yips and complaints from the government backbench when my colleague from Fort York is likely to have great flows of eloquence about these issues. I think they don't understand how very seriously he takes his work and how seriously he takes his job of bringing forward the concerns in a way that will attract the attention and perhaps even crack through some of the soundproofing that seems to be around the government members.

His concerns are very real concerns around whether this bill, which we of course think is important since it was first brought forward by one of our members, is even going to be meaningful when there is virtually no one available in the Ministry of the Environment to enforce this particular provision. He is very right to try to express, with his eloquence and with his passion, the concerns that people in the province have as to whether this is mere window dressing, merely an effort on the part of the Minister of the Environment and the government to try to give an impression that there is real concern in the government on the environment.

Mr John L. Parker (York East): I listened to as much of the remarks of the member for Fort York as I could. Unfortunately, I was called away for a period of time during his remarks and I wasn't able to catch all that he had to offer here this afternoon, but what I did hear was

characteristically well expressed and quite cogent in its content. But I'm encouraged to hear that the member for Durham East will be addressing the House later this afternoon on the same subject. I know that whatever I missed from the member for Fort York will be more than compensated by the remarks yet to come from the member for Durham East, and I certainly look forward to his remarks that are coming up soon.

I thank the member for Fort York for his contribution to the debate this afternoon on this very significant bill, which makes some very substantial amendments and improvements to the environmental statute law here in this province. I thank the member for his contribution to the debate and I look forward to the further remarks later this afternoon, particularly from the member for Durham East.

The Acting Speaker: The member for Fort York.

Mr Marchese: As always, I thank my friends and foes for their remarks: London Centre and Oriole and York East and Durham East.

The member for Oriole did mention some of the things I had detailed and said that the auditor had mentioned there were 120 air quality standards that needed to be upgraded and this government has not done anything, including, as was mentioned 40% of air quality stations — no, I think he mentioned other things.

On two of the statements made by the member for Durham East and York East: The member for Durham East said that my comments were more political than anything else. Perhaps he can draw attention in his remarks as to what I said that might have been more political than factual. I pointed out to him that 880 staff have been laid off, fired, let go. That I think is factual, not political. The fact that the ministry has lost 45% of its operating budget is factual, not political; 81% of its capital budget gone, no intervenor funding. It costs more to get information from the freedom of information act. We've had, since 1991, 700 water stations, monitoring stations that now have diminished down to 200.

I merely state to you all of the factual information that we have in our hands. Maybe that's political to the other side, but what I'm telling them is that unless we have the people to make this bill effective, this bill will not be any good to anybody.

If the member for Durham East, as the member for York East said, has more to say on this matter, I look forward to it. I don't think it can compensate for what I said, but maybe it can. I look forward to his comments.

The Acting Speaker: Further debate?

Mr O'Toole: It's a pleasure to follow the member for Fort York, and I thank the member for York East for his compliments before my remarks.

My riding of Durham East is probably one of the most finest and most pristine areas in this wonderful province. It's my duty as a member of this Legislature to do everything to respect the environment. I have to commend the minister for bringing us Bill 82, which talks about the commitment to the environment and the ways to set tougher standards.

My remarks will sometimes be a little varied from the normal script, because in all capacity here it's my job to represent the views of my constituents of Durham East. In fact, all of Durham is really, arguably, my job. The member for Durham West may disagree with that.

An Act to strengthen environmental protection and enforcement: I want to follow up on some of what my colleague the member for Northumberland said the other night in his comments. I will be making reference throughout my comments about the member for Northumberland, who is the parliamentary assistant to the minister and has carried the charge on many long hours of public hearings and in many cases on examining needless regulations that were put in place that weren't really functioning to support the environment so much as to support a bureaucracy, if you will. I know the goal is one which my constituents want me to pursue, because it is an issue that is close to the hearts of all Ontarians.

The importance of environmental protection cuts across all divisions. We all need clean air, clean water and clean land as the basis for a healthy and thriving community and indeed a healthy and thriving province. For today, tomorrow and future generations we must all pay closer attention to the environment. Anything that will improve our ability to protect the environment is worthy of all-party support.

I have taken some time to look at the remarks on the long and extended discussions on Bill 82 here in the House and I see that all parties have spent considerable time, and in many cases they've started or prefaced their comments — I could quote them and probably will — with support of this particular legislation. That being said, I recognize that they'll all make the argument that there isn't enough money. We tried to at least put in place a framework to make things work, and all of our solutions involve the prudent use of taxpayers' resources.

As everyone knows, An Act to strengthen environmental protection and enforcement proposes several new enhanced powers for the courts and for the Ministry of the Environment itself. With the act, we are not looking for increased powers per se but for increased powers of environmental protection, and that will be fair to those who meet the present environmental laws and tough on those who break those laws.

With our proposals in place, breaking environmental laws will cease to be an attractive choice for those who have not conformed. Those who have always complied with the requirements of the environmental legislation will obviously continue to do so, with the full support of the government, but with the knowledge that the laws will be applied equally across this wonderful province.

There's one point that the Minister of the Environment, the Honourable Norm Sterling, has asked me today to emphasize: that each of the new or strengthened powers proposed under An Act to strengthen environmental protection and enforcement has been developed with a close eye on ensuring that all rights are respected. Everything in the act fully complies with the requirements of the Charter of Rights.

1630

Mrs Boyd: On a point of order, Madam Speaker: There is no quorum.

The Acting Speaker: Clerk, could you check and see if there's a quorum, please.

Clerk at the Table: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Deputy Speaker (Mr Bert Johnson): The member for Durham East.

Mr O'Toole: Thank you, Mr Speaker. It's nice to see you in the chair this afternoon.

Before I was so rudely interrupted, you might say, I just wanted to segue a little bit here for the record. As I said before, there were a number of speakers, and I think it's important to recognize that there have been some very positive comments from both the opposition and the third party.

Mr John Gerretsen (Kingston and The Islands): Thank you. You're a nice guy.

Mr O'Toole: In many cases, including the member for Kingston and The Islands, their job, their role here is to oppose or point out potential weaknesses in legislation. We as a government listen and make appropriate amendments and changes, but at the end of the day it is our duty to govern respectfully for all the people of Ontario.

I particularly paid close attention to the comments of the member for Riverdale as the official critic for that party and watchdog for the environment. I believe she speaks quite passionately on the subject. She admitted very clearly in her remarks on December 7, and I hope not to take this out of context, "Otherwise, this is a great piece of legislation which incidentally was put forward first by my colleague from Algoma when we were in government." The member for Algoma I think is respected for his commitment as well.

The difference in any case is that this government translates policy consultation into legislation. The ability to govern and manage respectfully has been missing for the last number of years in this province. That's the key: to take the 10 years of consultations and studies and turn them into meaningful, strong pieces of legislation.

I'm very pleased to speak today with respect to this legislation, Bill 82. I think the member for Wentworth North, Mr Skarica, was looking at some of the records of the day in the dispute, or debate, on Bill 82. I will start with what he said on December 7, when he was examining the record of the previous government. I'm quoting:

"All right, look at the record. Let's look at it in my area." His riding is Wentworth North. "We had two dump issues in Hamilton-Wentworth. One of them was in my riding. A dump was proposed to be put in in Greensville.

"The issue first came up when the Liberals were in power. At that time it was going to be one of the world's largest dumps." That was under the then Liberal government. "The member at that time, who was the Minister of Education, wouldn't take a position on it. He was in cabinet and he felt he couldn't take a position on pretty

well the most important environmental issue in our area.” The typical Liberal position is not to take a position, and that’s in the record here. “The voters rewarded him for that position” — or lack of it — “by not voting for him and he lost the election to an NDP member” — hoping to have more representation, I gather.

“During the NDP regime” — in the same issue — “we had 140 days of hearings on this dump” in Greenville. “To put that in perspective, that’s almost as long as the O.J. Simpson trial.” I thought it an interesting analogy. “At the end of that trial....

“The NDP didn’t get off on this issue, because after 140 days of hearings the environmental board said: ‘There’s no way that this dump should go in. It’s too dangerous.’” What did they do? “Cabinet disapproved the dump.”

Mr Skarica makes a very good point, and this is going back to the legislation that I want to make some important contributions on here this afternoon. It clearly puts in place a number of measures of enforcement and those measures of enforcement commit the government, through policy and legislation, to deliver on environmental protection. We should be held accountable. This is the legislation that we support, and I expect unanimous support for this legislation.

With our proposals in place, breaking the environmental laws will cease to be as attractive a choice as perhaps it has been in the past. All those who have always complied with the requirements of environmental legislation will obviously continue to do so, but with the knowledge that the laws will be applied equally across the province.

There’s one point the Minister of the Environment wanted emphasized, as I said earlier, which is that everything in the act will fully comply with the requirements of the Charter of Rights.

I now want to turn to the various provisions of the act and talk about how they bring about fairness and how rights are being protected.

As the parliamentary assistant for agriculture, Harry Danford, mentioned the other day, and Doug Galt from Northumberland touched on in his remarks, one of the areas where there hasn’t been a fair situation is in dealing with illegal waste practices. This was also a problem in my riding some years ago.

I’m going to devote most of my talk to the area of waste, which has provided so much of the impetus for the private member’s bill and for this legislation we are debating today.

For starters, there’s the obvious problem of having some people believing they are above the law while others must meet it. Some operators choose to circumvent the proper process for disposing of waste as a way of lowering their operating costs and increasing their profit margin. This, we all know, is not fair for the law-abiding operators. We are in the majority and favour those who choose to meet their legal obligations. They know full well that some of their competitors are cutting a few, or

several, corners for profit. We do not support that motive and this law intends to end it.

Bill 82, An Act to enhance environmental protection and enforcement, proposes new powers that will even out this situation of those who comply with the law and those who don’t.

The act’s provisions for prohibiting illegal waste disposal will be expanded to give the ministry the ability to charge individuals who facilitate, arrange for or broker illegal dumping practices, and not just the person physically doing the deed. This provision would mean that the brains behind the illegal waste schemes will know they have a much greater chance of getting caught and prosecuted.

The behind-the-scenes types have become increasingly emboldened as they’ve seen that their ability to operate has remained essentially uncontested to this point. This legislation intends to address that, when passed. There will be far more pressure on them to operate legally if they see themselves as increasingly vulnerable to prosecution. Naturally, anyone charged with illegal deposits of waste has recourse to all the normal procedural safeguards which —

Mr Caplan: On a point of order, Mr Speaker: The standing orders of the House say that members should not refer at length to debates of the current session or read unnecessarily from verbatim reports of the legislative debates or other documents.

Mr Dan Newman (Scarborough Centre): Which standing order?

Mr Caplan: Standing order 23(d).

Mrs Boyd: There’s one about not speaking when you’re not in your chair.

Mr Caplan: Very good.

Speaker, I would ask for your opinion on this matter.

The Deputy Speaker: That is a point of order. I wanted to address the member for Durham East. You can’t read a whole bunch of other debates. The reason for it, of course, is that we don’t see the necessity of having them in Hansard twice. Other than that, I welcome your comments on the debate and the environment and the bill at hand.

Mr O’Toole: Thank you, Mr Speaker. I do like to receive instructions so I can improve, as all of us should. The member for Oriole I’m sure learned many of those manoeuvres from his mother, who was a member here and whose seat he took. Members watching today would know that when she left the House to run federally, he took his mother’s seat, which is really appropriate, and she probably taught him that rule. But, not being so well schooled in that, I do take the advice of the Speaker.

1640

To make reference to this in some sense of passion, it’s the illegal activity that this bill is designed to — one of the instances is the act of electronic tracking. I found this, particularly in the age of technology, to be something — there are such large expanses in some of the rural areas of my riding of Durham East potentially at risk of illegal dumping practices, and there are methods and technologies

today to fingerprint, to track these activities and enforce the laws of this province. It is important to bring in those tools for the investigative units in the field to enhance the provisions of enforcement in this legislation.

Very clearly, they're proceeding with great caution so they won't have any opportunity of indiscriminate use of the tracking devices. Of course, there are provisions in this legislation such as that. Such devices would only be used under the authority of a court order. When we can satisfy the court that we have good reason to believe that a crime is being committed or is about to be committed, there will be strict standards and reasonable provisions before any of these tracking procedures will be used.

Another important provision is the ability to seize equipment. We all know, whether they're bulk tank carriers or other kinds of equipment used in the perpetration of an offence, they're really assets of the companies. Those assets, whether legal or illegal, are now going to be seized if they're part of the committing of a crime or an offence under this legislation. In this case, it's not just the operator of the vehicle; it's the licensing, the ownership, all of those technical provisions of being able to trace it back to those working behind the scenes.

This legislation is a very strong piece to strengthen environmental protection and it's something that all parties have commented on. As I said, the member for Kingston and The Islands as well as the member for Riverdale, people who I believe have paid attention to this legislation, indeed are on the record as commenting on it, and I would like to continue with a few of those quotes. They've said very clearly that they support the legislation. They of course, in their position as opposition and critics of the government, are going to bring forward what they believe are the only salient points to be made with respect to the enforcement measures, perhaps the actual number of staff in the field. We're bringing in actual tools for the enforcement people to be able to commit to the protection of the environment. They've talked and talked.

Interjection.

Mr O'Toole: This legislation has real teeth, as the member beside me says, and I respect it.

Going right back, my riding, the wonderful riding of Durham East, is fringed by the Oak Ridges moraine, a very sensitive environmental protection area, and we have Lake Ontario to the south and we have many creeks and valleys in the area. I think this legislation will go a long way to prosecute those people who have been accustomed to abusing the environment, and there are clearly a number of technical matters in this bill that give the tools to those who are enforcing the provisions of this legislation in the field.

I have to look at the leadership of the minister, the Honourable Norm Sterling, who has attended in many areas throughout the world. Just recently I gather he was in Kyoto, and he was also in South America, looking at emission and other standards. He's just brought before us the clean air provisions with the Drive Clean program. His actions are testimony to his stewardship of the environment. I'm satisfied that my constituents, indeed all the

people of Ontario, now have a minister who's not just radicalizing and protesting; he's bringing forward an enforcement piece of legislation that will certainly be a benchmark, and not just in this province. I put it to you that it will be throughout this whole country. In fact, in the climate of North America where we're so close to our neighbours, this sets us above, setting standards of enforcement so that we Ontarians will enjoy the standard of life and quality of air and water and land that we can live with and that our children can live with in the future.

From working at his side, I know the member for Northumberland — I'm sorry he's not here, because I am flattering him — has worked tirelessly, listening to and consulting with a number of constituent groups throughout this province, to bring forward and perfect this legislation. I'm very pleased to have an opportunity this afternoon to relate it to my riding of Durham East, a rapidly growing area, an area that needs to be protected, that needs development, of course, but that needs to have respect first for the environment. This legislation and the processes it puts in place give me a great deal of confidence that the minister has acted after consultation. Arguably, the member for Algoma may have been the forerunner in his consultations. I'm sure our minister is pleased to share the credit. I would hope that all parties would support this. It's the right thing to do; it's the right time to do it.

This is really a plea from a simple backbencher. I'm not the parliamentary assistant but I have a great deal of interest, as do all of my peers in the Conservative government. A healthy environment is a healthy community; it's a healthy economy. They work together. You can't pull them apart. You have to believe in it. I believe, from what I see in the legislation, that with the enforcement of the standards that we have in this province, we will all sustain a much healthier future.

I want to take the last couple of minutes here and say that we're setting a very high standard. We have enforcement tools, and clearly this Minister of the Environment has taken the next step to prosecuting the abusers of our environment. I am very pleased to support the bill and I look forward to comments from other members.

The Deputy Speaker: Comments and questions?

Mr Mario Sergio (Yorkview): I'll just comment briefly on the member for Durham East's comments. I realize that he has addressed his comments mostly to the waste disposal point of view, but when we say "environment," it encompasses a huge number of issues. We may say lakes or rivers or the forests up north, but it also includes emissions from cars, trucks and what have you. Fires and all kinds of things are involved when we say "protect the environment."

The bill has been introduced and, yes, we will support it because we have nothing better, even though the government has been told many times that this is just the beginning but does not give legislative power, the real teeth, if you will, for enforcement. They have been tooting their horn about getting rid of red tape and stuff like that. What is the purpose of approving laws and bylaws, passing legislation, if we then don't have the regulatory

enforcement power to see that our environment, above and below the ground, is well protected by enforcing those laws? This legislation does not give us that.

As a matter of fact, just to tell you briefly how wide our environment is and how important it is, the development charges bill, Bill 98, if I remember well — because of the downloading, those municipalities don't have enough inspectors any more to inspect septic tanks. That is part of our environment. Again, there are no teeth, there's no power, there's no legislation to make those enforcements.

Mr Gilles Bisson (Cochrane South): At this late time in the government's mandate, months before we're to go to the next general election, we have a government that has decided to introduce a bill to try to clean up its image when it comes to the environment. You know and I know, and I think most voters in Ontario know, that when it comes to the environmental record of this government, they certainly do not stack up against even some of the most regressive governments this province has seen.

We've seen this government decimate the Ministry of the Environment since they came to power in 1995. I'll speak to that a little bit later in my comments. We see a government that is cozy with business and that is prepared to turn a blind eye, in some cases, to what polluters are doing in this province. We all know that the environment is something we need to protect, not only because it's important to us and our future generations in Ontario, but our economy depends on a safe environment, a clean environment for all citizens, including the corporate citizens of Ontario.

1650

I find it highly interesting that the government has finally decided, after stalling for three and a half years, to bring this much-touted legislation into the House, given its environmental record. I hearken back to a radio talk show that I listened to last spring here in Toronto on Radio Noon, when one day Norm Sterling, the Minister of the Environment, was on the radio talking about his much-touted Drive Clean program. He tried to put a good spin on it and he tried to put a good face on it, but the public didn't buy it then. In fact, the following day the phone calls were overwhelmingly hostile to what the minister had said, and they had to do a second show to give the other side of the story. So I think people understand that this government is not environmentally friendly and this bill will not do that.

Mr John Hastings (Etobicoke-Rexdale): It's interesting to hear the members opposite crow about their great achievements in environmental protection, but I think the member for Durham East pinpointed very effectively that we had introduced the bill.

We get criticism from the members opposite about the lack of enforcement. It's curious to note that even when there was a full complement of enforcement inspectors, you ended up having as many problems in getting charges through the courts and having the Ministry of the Environment in the early 1990s and the mid-1980s testify to the strength and validity of its success in environmental prosecutions.

If you start looking at some of the regulations under the various bills that had been put forward by the two previous governments, you end up having a situation of extreme over-micromanagement of the definition of so many things. An example would be how the regulations back in those days defined inert materials, yet here we had business people taken to court and it wasn't proven in the courts of law of this province.

Here we have the members opposite boasting about having more enforcement inspectors, yet in those days they weren't any more successful at the rate of prosecutions in the courts than we've been. The whole issue is bogus when it comes to the lack of enforcement. They haven't got any other fallback position, except that if you pass the law, you have 1,800 bureaucrats standing around figuring out, "Who are we going to prosecute today in the courts?" We end up having the commissioner on protection of the environment as an adjunct to that whole situation.

It seems to me we've moved on the bill, something they never —

The Deputy Speaker: Thank you. Comments and questions? The member for Oriole.

Mr Caplan: I'd like to congratulate the member for Durham East for his comments, or rather for his ability to read passages of Hansard. Very well done, sir. I must say, complimenting the Minister of the Environment for taking action, really for plagiarizing a bill by another member, is really poor. This Minister of the Environment has been hauled on the carpet by many environmental groups, by the auditor of this province, by the Premier for his lack of protection, for his lack of caring, for his lack of ability to get anything done to protect the environment for all of us in Ontario. Water quality, air quality, emissions standards — unbelievable that the member would stand up and compliment this Minister of the Environment.

The other comment I would make is that the member said, "We'll now have the tools for enforcement." That's wonderful; we have tools but we have no enforcers. We have nobody who's going to be able to use those appropriate tools if this legislation does pass. These are not bureaucrats we're talking about. We've seen a reduction of about 25% in the enforcement branch at the Ministry of the Environment. You have 25% fewer people going out to different sites around the province to ensure that there is compliance with environmental regulation, to ensure that there is prosecution of people who are not adhering to the standards we've set. If there are no people, if they are not there, then it doesn't matter what you put in a bill, it doesn't matter how strong it is, it has no effect.

The Deputy Speaker: Response, the member for Durham East.

Mr O'Toole: I want to thank the members for Yorkview, Cochrane South and Etobicoke-Rexdale for their comments. I have other comments, but I just want to respect the comments I made for the Minister of the Environment.

We all want clean air, water and land. There's no question of that. Here's the deal; the member for Wentworth

North said it and I have to repeat this. He said the opposition and third party have a holier-than-thou attitude, and I see that clearly coming through this afternoon again. That's not the debate here, that's the politics of being here, I suppose, but every single one of us cares about the environment. I could name but three of my constituents — Libby Racansky, Elva Reid, Mavis Carlton. They are people I have known since I was a regional and local councillor. They know that I care about the environment and they know that the members here, who have all spent time in local government, I'm certain, care about the environment.

Our minister has taken time with Bill 82 to put in place some significant measures to enforce, and those that find disagreement with those specifics should make those comments in the House so that they state what they stand for. What are your policies? We've stated ours clearly.

I want to finish off by clarifying the comments of the member for Wentworth North with respect to the decision against the Greenville dump site, started by the Liberals, studied by the NDP and the conclusion is here. It was this government that made the decision to stop the dump at Greenville in the Hamilton area. This government is charged with a very serious responsibility of being a government of action. It's fine to criticize, but this government has the courage to investigate, to listen and to legislate. That's why I'm impressed with supporting this legislation.

The Deputy Speaker: I want to inform the House that pursuant to standing order 37(a), the member for London Centre has given notice of her dissatisfaction with the answer to a question given by the Attorney General concerning the McLean-Thompson matter. This will be debated tonight at 6 o'clock.

I also want to inform the House that pursuant to standing order 37(a), the member for Renfrew North has given notice of his dissatisfaction with the answer to a question given by the Deputy Premier concerning the McLean-Thompson matter. This will be debated right after the other.

Further debate?

Mr Gerretsen: I request unanimous consent, in order to speed this matter along, to share my 20 minutes with the member for Yorkview.

The Deputy Speaker: The member for Kingston and The Islands seeks unanimous consent to debate and to share his time with the member for Yorkview. Is there consent given? Is it agreed? I didn't hear very many "agrees," and I just wonder if you heard the question. Is it agreed? It is agreed.

Mr Gerretsen: I appreciate that very much. I'm just trying to help the government along because it wants to implement its policies, which we know in some aspects are very draconian. But on the other hand, I have a few comments to make and so does the member for Yorkview, so we thought we'd put our speeches together in a 20-minute session rather than taking up 20 minutes each.

I suppose to the general public out there watching this and listening to the back-and-forth comments about,

"We're better on the environment than you were when you were in government," or than the third party was when they were in government, I think the general public doesn't really want to hear that. The general public wants to know, what is the state of our environment in Ontario and what is the environment likely to be as a result of legislative changes in the future?

1700

We know what the state of the environment is. Just recently we heard that Ontario, in all the jurisdictions in North America, was the third-worst polluter, behind two of the southern states in the United States. I, as an Ontarian, as a Canadian, take absolutely no pride in that whatsoever. I had always thought that we lived in a country and in a province where we cared about the environment collectively, as different governments have come and gone, and as a society; where we truly cared about it, in the same way that the member for Durham East was talking about. Unfortunately the record, certainly of this government, has been anything other than that they care about the environment. I'm sure that some members of the government would take exception to that, but they have to look at the record.

The record is that we're the third-worst polluter. The record is that the World Wildlife Fund in April 1996 gave Ontario an F on its efforts to protect ecologically significant areas. Even Alberta — all of us have this idea that Alberta is a place where everything is free and easy and cowboys roam the prairies, and there's oil, and nobody really cares about the environment; that's the impression that we're sometimes left with — was given a B; we were given an F.

Our own Environmental Commissioner, a person who is employed not by the province of Ontario, not by the government by Ontario, but a person who is directly responsible to this Legislative Assembly, an officer of the Legislative Assembly, what does our Environmental Commissioner say about the state of the environment here in Ontario? Not too long ago, in her 1996 annual report to the Legislature, she said that if we continue along this path, our right to a healthy environment will be jeopardized. We cannot afford to focus on short-term savings at the expense of long-term environmental health.

I see the Minister of the Environment is here. I like the Minister of the Environment as a person.

Hon Mr Sterling: On a point of order, Mr Speaker: I know he likes me and therefore he'd like me to correct him. The report which identifies Ontario as the third worst-polluter in North America is a 1995 report.

The Deputy Speaker: That's very interesting information, but it is not a point of order.

Mr Gerretsen: If what the Minister of the Environment is saying is correct, and I don't doubt him on this, then I still say to you, sir, why haven't we done something about it? Do you like being known as the third-worst polluter in North America? I don't and neither do a lot of people who are affected as the result of pollution every night.

Hon Mr Sterling: We've done something about it.

Mr Gerretsen: He says, "We have done something about it." Let's just talk about the record of your government with respect to the environment over the last three and a half years. What have you done? You have cut the compliance and enforcement branch by \$15 million. These are the people who actually go out and see if the current laws related to the environment are being enforced. What did you do? You cut them by \$15 million, or 30% of their total budget. The inspection staff was reduced by 141 jobs. In other words, in 1995 there were 141 more people working for the Ministry of the Environment, making sure that environmental regulations were being adhered to in this province than there are right now.

Earlier we heard the member for Etobicoke-Rexdale talking, blustering on about the fact that there's no greater success with respect to any enforcement regulations on the environment. He is wrong. Let me just give you some figures as to what's happened with respect to the charges against polluters: 683 charges were laid in the first 10 months of 1996 compared to 1,037 in 1995, a 21% reduction. You know what happened?

Hon Mr Sterling: Same number of convictions.

Mr Gerretsen: He says the same number of convictions, but it's very interesting that the amount of fines actually dropped by some 57%. In other words, you weren't collecting as much in fines as you were because of the cuts that you have brought to the ministry. What's happened with respect to the prosecution unit within your ministry? What's happened there? I'm sure the people of Ontario want to know. What's happened is that there were 10 staff people in that branch by 1990, when the Liberal Party gracefully handed the government over to the NDP. Do you know how many people were left in 1996?

Mr Bradley: I hope 10.

Mr Gerretsen: No, not 10. Four. You had four members in your prosecution department.

Do you know what has happened with respect to the number of water monitoring stations in Ontario? We all want clean water in this province, don't we? That has fallen from nearly 700 of these water monitoring stations in 1991 to just over 200 in 1996. As a matter of fact, the laboratory services in Thunder Bay, in my hometown of Kingston and in London have been lost. There have been significant job reductions in that area in the Toronto lab.

Let's go a little bit further. Let's talk about the capital support payments that used to be paid to municipalities for new water and sewage construction. Do you know what has happened there? The \$142 million in capital grants that used to be given to municipalities for water and sewer projects has been eliminated, making it much tougher on municipalities to meet the ever-growing demands there are because of all of the downloading that we have heard so much about in this House already. This is just another thing that has happened. No more capital money for water and sewage construction programs.

How many other programs have been cancelled within the general confines of the environment? I will tell you some of the programs that have been cut. The Home Green Up program was cut \$8.6 million.

Hon Mr Sterling: I'm glad we cut that sucker.

Mr Gerretsen: I want to quote the minister correctly. He stated just now in the House, just in case Hansard didn't get it, "I am glad we cut that sucker." That's what he said. That's another \$8.6 million lost from the environment.

How about support for the blue box programs? Everybody now supports the blue box programs.

Interjection.

Mr Gerretsen: Well, maybe not everybody, but certainly the vast majority of people, when you compare that to 15 or 20 years ago, when it was just an idea out there with some really concerned environmentalists. It is now widely accepted by everyone.

Do you know what you did? You cut it by \$5.6 million.

Let's go on to one more, the rural and urban beach cleanup program. That's the program, I know, Speaker, that you have a special interest in. Do you know what has happened to that? Some \$9.2 million gone.

I will turn it over to my colleague the member for Yorkview in a few moments. It is nice that all of us in this House are in favour of a clean environment, and it is nice to talk the language because there is nothing as depressing as to live in a place like Toronto, where I'm located on the 26th floor in my apartment close to here, and on a nice, beautiful, sunny summer day seeing nothing but a yellowing film over Toronto. That is discouraging. I know the minister as well can see that same yellow film that I see on those days.

I get very discouraged. Yes, you've introduced a bill, a bill that goes on for some 96 pages, which was introduced on November 23, 1998. I wonder if we will ever see third reading of this bill, with the rapidly approaching election. My colleagues are correct. This bill was introduced to make it look as if this government is more interested in the environment than it really is. I would like the people of Ontario to remember that. With that, I will turn it over to my colleague the member for Yorkview.

Mr Sergio: I'm delighted to join the debate and add, during these few minutes, some points on Bill 82.

1710

Hon Mr Sterling: On a point of order, Mr Speaker: I seek unanimous consent to pass this for second and third reading right now.

Interjections.

The Deputy Speaker: Order. I have to hear. When I'm talking I don't want anybody else talking.

The minister from Carleton has asked for unanimous consent to pass this right now. Is it agreed? I heard a no.

The Chair recognizes the member for Yorkview.

Mr Sergio: I am going to compliment the Minister of the Environment for having the fortitude to introduce this bill, even though it's late. Late as it is, at least we have something to debate.

The minister, I'm sure, had all the good intentions to provide this House with a bill with the necessary tools that would really make a difference to our environment. As I was saying before, when we say "our environment," it doesn't mean our lakes and our rivers; it includes every-

thing over and above and below our earth as well. It is not the fire in Hamilton, it is not the pollution that we see on a daily basis here and there; it includes everything. We attach great importance to our environment.

But I have to say, with all respect to the minister, that I'm not sure his intention was to introduce it in such a way. I would call this a bill introduced by a minister, yes, but under the strong direction of our Premier, Mr Harris, because he says, "That's the way I like to have it."

They make a big story about clamping down on red tape and stuff like that. I'm afraid that this piece of legislation, when it is finally approved and it has to be enforced, will end up on the books of obscure municipalities where they don't have the tools and the means to conduct even the inspections, let alone the enforcement. They won't have the manpower to conduct the inspections.

I don't have to tell you, because I'm sure the minister has been here long enough, how it works when you send out inspectors to inspect a certain problem. We are not limited to Metropolitan Toronto here; we are dealing with lakes and rivers' and septic tanks and all kinds of inspections that require attention and action. I have to say that this bill does not provide that.

Some of the previous speakers said how many cuts have been made to this department. Why? Because, as a whole, the government had to come up with some \$6 billion to compensate for their tax cut. The Premier and the Minister of Finance said, "OK, Mr Sterling, Minister of the Environment, we want \$125 million from your department," and from the other departments as well. We know the cuts to the health department and the education department.

That is what it has done, because when you say, "We introduce legislation to improve and protect our environment" —

Mr Marchese: On a point of order, Speaker: Would you please check for a quorum.

The Deputy Speaker: Please check.

Clerk at the Table: A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Deputy Speaker: The Chair recognizes the member for Yorkview.

Mr Sergio: As I was saying, it is very hard to take this piece of legislation very seriously, with all due respect to my friend the Minister of the Environment, when you have cut not only the budget of the Ministry of the Environment but you have cut the manpower, the staff, by such a huge amount that it has to make a difference. Consider a 36% cut in the number of jobs with respect to protection, if you will, in the environment ministry. The budget has been cut by 42%, \$121 million. What are the consequences of that? It is a fact that if you don't have the manpower, if you don't have the money, you cannot provide compliance with respect to inspections and enforcement. That's plain and simple.

Since the last three years, now we have this piece of legislation. You would think they would have introduced a

piece of legislation with the tools and the power to give not only the people in his ministry but also the people of the various municipalities, where a lot of the real work will have to be done, the power, the inspectors, the manpower and the money do that. Well, they don't.

When you combine the various cuts to the ministry itself, when you combine the cuts because of the down-loading to the various municipalities — small municipalities and regional government — you will have a decline in the protection and enforcement of the laws of our environment. It is plain and simple and you cannot escape from that.

Let me go back to what the now Premier said back in 1995. That was in the Toronto Star of June 5, 1995: "I don't think you'll find a cent there cut out of the environment. We were able to find \$6 billion in cuts without cutting the environment." This was our Premier back in June 1995. If the number of charges have dropped by more than half in 10 months in 1996, it is because of that, because the manpower is not there, the money is not there. We don't have any more those people who can go out week after week, month after month, go and put pressure.

It's easy to put on paper here — and again, I'm very pleased that the minister is in the House — in readable language what they intend to do, but how they're going to do it is the major problem because they don't have the money, they don't have the power. They have reallocated the funds from their department and other departments elsewhere.

Municipalities cannot do it. We have many municipalities that don't have sewers; they have wells, for example. We have very small municipalities, and they even cut the qualified people to do those inspections. The minister, I have to say, is not taking that into consideration with this particular bill.

I would say to the minister, we are ready to go ahead with it because it's an improvement, it's something that we didn't have before, but do it and do it right and do it better for our environment.

The Deputy Speaker: Comments and questions?

Mr Marchese: I want to congratulate the members for Kingston and The Islands and Yorkview for adding to the list that I had begun of abuses against the environment and against the Ministry of the Environment.

The member for Kingston and The Islands added several which I picked up: the blue box program cuts of \$5.6 million, I think you said, and the rural beach cleanup, which I think is another \$9 million. The list is endless. It goes on and on.

We're having a monologue here with the Minister of the Environment because we say, "Here are the abuses," and he says, "No." I wait for the Minister of the Environment to tell us what exactly, if anything, he has done to help me and the environment on these matters.

They say that magically this bill will in itself be a deterrent. Presumably, therefore, we're not going to need as many enforcement officers to go out and investigate and make sure the compliance is achieved. I'm assuming that

either the law will say to those people, "Don't you dare," which I don't think in itself will work, or he's saying, "With a diminished number of people, we can do the job."

1720

Speaker, you know yourself that your government is very fond of talking about toolboxes to do any particular thing, as you recall the download. Here we've got a bill and there is an absence of a toolbox with which to do the job. What happened to that toolbox? You've been so proud to present toolboxes on everything else. We need one for this bill, and it is absent. One toolbox would do, because that's all you've offered for everything else. Bring forward the toolbox.

Hon Mr Sterling: I'm really happy to respond here, particularly to the NDP, which is responsible, as you know — in 1995, when we heard about Ontario being the third-worst polluter, who was in power? The previous government, the NDP government; a shameful record. Quite frankly, it was because of that shameful record, of both of the previous governments, that we have taken such strong initiatives as Drive Clean, as the \$200-million water protection fund, as the \$5-million Ontario Great Lakes renewal fund, as the new Environmental Protection Act, as the new air quality standards, which were not in place under your government and should have been put in place under your government. That was neglected by the Liberals, was neglected by the previous governments — over 20 years of neglect. We are attacking those. We are remedying those.

Of course, the piece of legislation we have here today, where we are enhancing our enforcement, is very important. I note that members opposite don't believe we want to pass it. I ask them for their co-operation that we pass it through second and third reading today. Let's do it today. Let's have it done today. Let's call their bluff. Far, far too often we've heard their bluff, but when it really comes down to action there's only one government that has shown action on the environment, and that's the PC government.

Mr Bradley: The greatest action this government has come forward with is spending money on advertising, of course paid for by the grateful taxpayers of this province. I feel sorry and sympathetic for the Minister of the Environment. They've taken away all the resources he's had, the staff he needs, the clout he needs to carry out his responsibilities. "When in doubt, shout," they say, and the minister got up and shouted, which is fine with me. They have taken away all his resources. I'm on his side when he's looking for those resources.

I want to say as well that they took away his responsibilities for the Niagara Escarpment Commission. I may disagree with a lot of things this minister does or doesn't do. The one area where I thought he was doing a marvelous job was in trying to protect the Niagara Escarpment. So what happened? Mike Harris, who criticized him many times for not bringing in this Drive Clean program when we know that was blocked in the Premier's office, took away from, if I can use his personal name, Norm Sterling — he was the provincial minister for resources develop-

ment at the time. He had a plan developed to save the Niagara Escarpment. What happened? They took away the responsibility for trying to protect the escarpment from the Ministry of the Environment and from Norm Sterling, and gave it to the good old boys, who now are in charge of the Niagara Escarpment, the friends of Bill Murdoch, the people who used to applaud all those severances they used to grant along the Niagara Escarpment.

I can understand the minister wanting to get up and do a lot of shouting now to protect his flanks, but I'm going to tell you I'm not critical of this man. I'm sympathetic with the member for Carleton, who has had all of his resources and staff taken away from him.

The Deputy Speaker: Member for Brampton North, I was putting off that point of order because I didn't see anything out of order, but I'll entertain it now if you want to.

Mr Joseph Spina (Brampton North): It doesn't matter.

The Deputy Speaker: Comments and questions?

Mrs Boyd: I just have to congratulate the member for Kingston and The Islands and the member for Yorkview for provoking such a display from the normally temperate Minister of the Environment. I must tell you I missed a lot of what you said because I was in and out of my office and back and forth in front of the television, but it must have been wonderful not only to provoke this emotional display from the Minister of the Environment, but to encourage the wonderful old-boy applause from all the old boys to support him in terms of that.

Hon Janet Ecker (Minister of Community and Social Services): Who are you calling an old boy?

Mrs Boyd: Oh, and one old girl. I'm sorry. I withdraw, Mr Speaker: one old girl as well.

I must say that the Minister of the Environment has had a bad week, and so it must have felt great for him to be able to be unmuzzled and to come into this room and yell at all his tormentors the way he did, especially his tormentor who spoke first for the Liberal Party. We all know that that was what that display was all about.

The Minister of the Environment, like every other member of this government whenever they want to try and defend themselves and their terrible record, goes on the offensive and acts like a bully about everything. That is exactly what you did. You start accusing everyone else and don't accept your own responsibility for your own terrible record.

The Deputy Speaker: The minister from Durham West, did you want to address a point at this point? The member for Scarborough-Ellesmere?

Ms Marilyn Mushinski (Scarborough-Ellesmere): No, it's all right.

The Deputy Speaker: Responses?

Mr Gerretsen: There have been very few speeches that have been corroborated between myself and the member for Yorkview that have ever had the kind of response that our speeches had. Somehow, something tells me that our speeches had absolutely nothing to do with it.

I do appreciate the Minister of the Environment being here and listening to it all. I hope that he will go back to his office now, take out some of the old budgetary documents, look at some of the old figures of how many people we actually had in the various pollution areas, how many people we had in the various enforcement areas before, and maybe he will come to the realization that what he has been doing over the last two to three years while he has been in office just isn't enough.

It isn't enough to come in with a bill on November 23, which is less than three weeks of sittings left in this House, and to expect this House to pass a giant bill of 93 pages. If the minister had really been concerned about this matter — and he is the government House leader as well; he is the man who controls what takes place in this House — he could have brought this bill in much earlier, because as House leader he could bring that bill in at any time. We could have had second reading debate. We could have had public hearings on it. I know there are many organizations and individuals out there who would want to comment on this bill. We could have given this bill third reading and it could have been given royal assent.

Unfortunately, even if that had happened, it would still not have put back the money into his ministry that's been taken out in the enforcement area and in the protection area. That's over 30%: 141 jobs lost; \$50 million alone in the enforcement area. That is the legacy that this minister will have to take with him once he leaves office next May.

1730

The Deputy Speaker: Further debate?

Mr Bisson: In starting up these comments, I just want to clarify the record. This outburst on the part of the Minister of the Environment I think was caused by my friend —

The Deputy Speaker: It's quite in order for you to correct something that you say. It is not in order for you to correct something that somebody else says.

I would like to direct your attention to the bill at hand and invite your debate.

Mr Bisson: Mr Speaker, I must say I am impressed.

I must say, however, that I'm not very impressed with this particular bill. Yes, I have to admit that the bill in itself is a step in the right direction and I also have to admit there are parts of this bill that are fairly progressive. There are some parts of this bill that are trying to deal with the issue of how we can get tougher on polluters, because we know that in Ontario, as in other jurisdictions, there are people who are always trying to, let's say, work just outside of the law or sometimes way outside of the law to cut corners so they can save themselves dollars, and who in doing so pollute our environment.

This government has chosen to copy a bill that was put forward by Bud Wildman, our member for Algoma, who had a previous private member's bill that was passed a few years ago that dealt with this particular issue, but at the time the government chose not to call the bill forward and enact it. They said: "No, we're smarter than everybody else. Nobody else can have a good idea in this

House. We're going to wait and we're going to do it ourselves."

What we essentially have is the Minister of the Environment, late in the mandate of his government, who recognizes his government is vulnerable on the question of the environment when it comes to the voters of Ontario, scrambling, trying to figure out, "What do I do before I go into the election to tell people, 'Me, Norm Sterling, good for environment'?"

"Ah, Bud Wildman, the member for Algoma, the New Democratic member of the House, had a pretty good bill. Maybe we can go back and dust the dust off that one, dust off his bill that was passed in this House a couple of years ago at second reading, and essentially take the structure of that bill and enact it into a government bill so that we, Tory government, can be seen as being real strong for the environment."

It ain't gonna work. It doesn't wash, as we might say, because the actions of this government are what the people of Ontario will decide upon when it comes to the next provincial election on this issue.

We know the facts are these: The government, since 1995, has decimated the Ministry of the Environment, decimated the Ministry of Natural Resources when it comes to its ability to do the job.

I'll give you a quick example: many instances in my riding now where cottagers, companies, individuals go to either the Ministry of the Environment or MNR, which is the other sort of environment ministry that I in my riding and many other northern ridings deal with, and find that the ministry no longer has the capacity to do the things that it is mandated to do both by cabinet order and by legislation.

Interjection.

Mr Bisson: Here you hear the government, and I think it's very telling that the parliamentary assistant to northern development talks about the Ministry of the Environment as something from the police state —

Interjection: And MNR.

Mr Bisson: — and the MNR guys as something from the police state. That tells everything of this government, because now what we have is, as a result of this government's action, ministries that are no longer able to fulfill their mandates as set out by legislation and by order of the cabinet. Why? Because this government has cut those ministries by over 50% in staff and also substantially reduced the budgets of those ministries.

Interjection.

Mr Bisson: The government — some of them are in denial and they're saying it's not true. Mr Speaker, you know, I know, the people know, the auditor knows and the people on public accounts know that that is the case. That's what this government has done. The result is that those ministries have difficulty now doing their job.

I'll give you an example. I was in just the other day at the Ministry of Natural Resources with Henry Dumouchel and his partner, who were wanting to start up a business venture in my riding. In order to be able to go forward with their business venture, they've got to sit down with

the Ministry of Natural Resources, eventually the Ministry of the Environment and the city of Timmins, the public health people, to determine what the rules are to the construction of the facility they would like to build in the tourism industry.

As much as MNR is trying, it's having difficulty trying to respond to these two proponents of this business in a timely fashion. Why? Because the ministry has had their staff reduced. Henry is a pretty patient guy and so is his partner. They decided they were going to give the ministry until mid-January to get back to them with some of the information they need, and they will work according to due course when it comes to this project.

But the point that I make is this: Henry and his partner understand, in order to be good business people, they also have to be good when it comes to the environment, because they want to get into the tourism business. Quite frankly, an unclean environment in the tourism business will hurt you. They want to make sure that they follow the rules and they know what's required of them and they understand what the rules are, but the big problem is the ministry doesn't have the capability now of being able to deal with all of these applications they have to make in a forthwith manner.

The government says: "We did this Clearing the Path" — no, not Clearing the Path; we did that and it was a pretty good initiative — "We did the red tape thing. We've cut all these regulations and red tape and put them out of the way." Poppycock.

When it comes to these business people trying to get their business off the ground, they understand there are still rules you have to follow in the province of Ontario. But as business people, they want to know that the government, at least if they put rules in place that make sense and are there for a good reason, has a way of being able to communicate what those rules are, so they know what the rules of the game are when they get into their business and then, once they're there, know that the government is actually going to do what they have to do when it comes to policing — yes, policing — the regulations and laws of the province of Ontario.

If you allow companies to walk outside of the law and not prosecute them, and that's what this government has been doing to a certain extent, it means to say bad apples out there in the business sector are going out cutting corners, polluting our environment and messing it up for the responsible employers who want to do the right thing.

I take the mining industry as a good example. What mining companies and prospectors have told me since I was elected in 1990 is, "Gilles, yes, we want rules that make sense, but at the end of the day, we want to know that the rules that the government makes not only make sense but are consistent and that we know where the government is coming from and what they're going to do if people step outside the line." What the mining sector and others have told me is when you've got bad apples going out there, walking over that line and breaking the law in many instances and the government doesn't prosecute, it makes it very difficult for the legitimate people,

who are trying to do business according to the rules, to compete in those kinds of situations.

What the government is doing, by way of not enforcing a lot of what you do within the Ministry of the Environment and MNR and northern development and other ones, is making it tougher on the businesses that are trying to do the right thing. If I'm competing with somebody down the road and they're cutting corners and they are able to get a bit of an advantage financially over the short term, you're making it very difficult for others not to do the same.

I just give you one example. The minister stood here at great length and gave us a two-minute rendition of everything that he's done. First of all, I think he could probably sum up in 10 seconds what he did as Minister of the Environment that's progressive, and that would be nothing. Yes, there was a problem in the Ministry of the Environment before as far as its ability to do the job is concerned. There's been a problem with the environment for many years and governments have tried to work towards fixing that up. Our government did that and Mr Bradley, when he was Minister of the Environment, did the same. But the facts are, since 1995, prosecutions and fines have dropped by 50%, since this government has taken power. Why is that? For a very simple reason. This government cut the budget of the Ministry of the Environment, MNR and other such ministries and reduced their staff in some cases up to 50%, and now those ministries are unable to do their job properly.

The government thinks by introducing this bill it's going to somehow make them look like environmentalists. Let me tell you, that will not be the case.

I remember, as I said earlier, Radio Noon just about last spring sometime, when Mr Sterling got on the radio to beat his chest: "Me, Norm Sterling, want to say do good things about clean air program." My Lord, you should have heard the people call up and complain about what the government wasn't doing and about how the government was attacking principles of a clean environment by its actions. In fact, the following day, Radio Noon had to have a special program just to deal with the responses of the anger that Norm Sterling, the Minister of the Environment for the Conservative government, caused by his comments on the radio the day before, because nobody bought it. Not only did environmentalists not buy it, neither did the public and neither did the business sector.

In short, I think the bill is a good thing, I think it's going in the right direction. But on balance, what this government has done to the environment has set back this province by a number of years and that in the end is not only not good for our kids' future and the environment, but it's bad for business.

The Deputy Speaker: Comments and questions? The Chair recognizes the member for Etobicoke-Rexdale.

1740

Mr Hastings: I don't know where to start on this particular approach. I guess the primary thing we need to put on the record is that the bill will provide enhanced protection for the environment, and there are different

ways besides having actual people enforce the particular legislation.

Mr Gerretsen: How?

Mr Hastings: If the member for Kingston and The Islands would actually read the bill, he would see that an environmental registry will help to a great extent on that new technology, which we know members opposite are strongly against, because if they were for it, they would have brought it up in their remarks. All they keep harping on is, "You don't have the same number of enforcement people." In point of fact, there are different ways to do things. Can you imagine? There are different ways in which to enforce the law besides the traditional approach.

I want to raise a remark with the member for Cochrane South which I found absolutely intriguing: that the business community wants to see environmental protection of the old-fashioned sort. What I was talking about before, the micromanagement, and the definition of specific materials I used before, the inert matter, is one where we have had tremendous overregulation in terms of blockage of industry and development in the aggregates industry. All you have to do is go back to the regulation that deals with that point.

I would finally like to point out that if members opposite are championing such a great environmental record that they had, then why did we not get the dump problem resolved for Metropolitan Toronto back in the early 1990s instead of now, where we've got four years to deal with the problem?

Mr Bradley: I appreciate the member's comments, and I'll go back particularly to that point. What you have to understand is that good corporate citizens want to see strong laws and strong enforcement. The people who don't want strong laws, who don't want a lot of people in the Ministry of the Environment, who don't want the resources for the minister, are the people who want to pollute, but the good corporate citizens want to see a strong Ministry of the Environment with the necessary staff to carry out its mandate.

A lot of the people who have supported this government, who go to your fundraisers, are people who have always hated the Ministry of the Environment and particularly dislike the investigations and enforcement branch. You should have heard the names they used to call it back in the late 1980s when they said the Ministry of the Environment investigations and enforcement branch were showing up; I wouldn't want to use the terminology in this House that they used in referring to that branch, because they were totally independent, they were there to enforce the law and they were there to be tough but fair.

What we've seen now is a backing off. The word went out very quickly when the new government came in. They told the ministry officials, "We're supposed to be business-friendly." I thought you should be environmentally friendly, because good businesses want you to be environmentally friendly.

I always hear about the overregulation and over-legislation. Look, until this bill came forward, the only legislation we had seen in this House was legislation

designed to weaken the Ministry of the Environment. If you look at the Environmental Assessment Act, those provisions are now weakened. If you look at the approvals processes, they have now been weakened by this government. That's because they want unfettered development. They don't want to take into consideration all of these things that are good for the environment but may not be good for their developer friends.

Mr Marchese: I congratulate the member for Cochrane South and would point out several things. First of all, this is the same government that has permitted self-regulation in the industry, meaning that they feel the government shouldn't be there to regulate or to monitor. You've got to question the motives of a government that introduces a bill that we support but without enforcement mechanisms in place, which means, by and large, people to make sure that monitoring happens, to make sure that enforcement happens. If the people are not there, then this bill is ineffectual. That's basically what it says and what it means.

That's all we're saying. We're not disputing the fact that this bill is not a useful thing to be introducing at this time, or indeed three years ago, as we would have hoped. What we dispute is the fact that you have done a great deal to gut your own ministry, to fire 880 people.

Mr Bradley: I bet Bob Runciman would like to see some green cops.

Mr Marchese: Sure he would. More cops on the road would be better, of course, and more enforcement officers to protect and monitor what is going on in our environment would be better.

Minister, I urge you to do again another two-minute response to tell me —

Interjection.

Mr Marchese: Please, again, help us out. Tell us how in this bill the mechanisms or the tools are in place to make this bill effective. We're telling you, without enforcement, without the people, this bill will be ineffectual. Help the constituents out. Tell me how you do that.

The Deputy Speaker: The member for Carleton.

Hon Mr Sterling: Thank you, Mr Speaker.

Mr Gerretsen: Doug wanted to speak.

Hon Mr Sterling: I think Doug will have an opportunity after Mr Tascona gets an opportunity to speak today.

I'm very happy to respond with regard to this, because as I mentioned in my opening remarks, when the member opposite wasn't with us — I don't know, perhaps he wasn't on duty that day; I know of his great interest in the environment — I said at that time that we have the same number of investigative officers as they had. In fact, what's happening is we're increasing them.

Mr Marchese: So who are these people who got laid off?

Hon Mr Sterling: Yes, we have made some staff reductions, and I'm not happy that we had to make them. We had to make them because they left us with a cupboard that was bare, an \$11-billion annual deficit. All our ministries had to work together to try to bring our

expenses down. You know what? We're doing better with less. You know why I can say that? The water is cleaner —

Mr Gerretsen: No, it isn't.

Hon Mr Sterling: You don't like it. The water is cleaner, fish are returning to Lake Ontario like they never have before. The air is cleaner this year than it was in 1994 and 1995, when you were in power. The proof is in the pudding. We want results, we don't want process like you did.

Mr Bradley: On a point of order, Speaker: I would like to ask unanimous consent to have the member for Etobicoke-Humber have two minutes as well.

The Deputy Speaker: Is it agreed? I heard a no. I'm sorry.

Interjections.

The Deputy Speaker: Order. If there are others talking, then I'm sorry that I can't hear properly.

Interjection: Do it again.

The Deputy Speaker: Is there unanimous consent? It is agreed. The chair recognizes the member for Etobicoke-Humber.

Mr Ford: Thank you very much, Mr Speaker.

I sit here tonight patiently listening to pollution — the discussion on pollution. I listen to the members across the floor, "Eight hundred people have been let go, 700, 200, 300" —

Mr Gerretsen: One hundred and forty-one.

Mr Ford: Now let me finish. I didn't say a word while you were talking. I say this: Mr Speaker, did you ever realize something? Do you have vision? Because the 460,000-odd people who have found new jobs since this government's been in power could stretch, with your hands out, from where you're sitting, go out, down the stairs, up the street to Wellesley Street, along to Yonge Street, up Yonge Street, along Highway 7, without one break in the line, all the way to Ottawa, circle the Parliament Buildings up there and go in and touch that Speaker's hand up there.

Can you imagine that? Did you ever drive to Ottawa along Highway 7? Mile after mile after mile. It would be a boring job to see the many hundreds of thousands of people stretched out, arm to arm, and touching the Speaker up there so they could communicate with the Speaker down here. I'm very proud of that.

They talk about pollution. The previous party had more pollution than we've got now. They keep talking about the people we laid off. They didn't have one new job that you could touch your hand and get to the bottom of your steps. There's the difference in this party over here: We are doers, not talkers.

1750

Mr Gerretsen: On a point of order, Mr Speaker: I ask unanimous consent that this House pass a motion to the electors of Etobicoke-Humber that they reconsider the Tory nomination in that riding for the next provincial election.

The Deputy Speaker: That is not a point of order.

The Chair recognizes the member for Cochrane South.

Mr Bisson: To the member for Etobicoke-Humber, you make me want to buy a bottle of Coke after that speech, because I can't help but think of that song about everybody reaching out and whatever way the song went. It was most interesting.

The Minister of the Environment has the gall to come into this House and talk about how the environment is cleaner vis-à-vis the actions of his government, and how the air in Ontario is cleaner. Every report that has come out this year has demonstrated that we had more bad-air days this past year than any other year in the history of the province. The minister can play the tune he wants, he can grab hands and reach out to the member for Etobicoke-Humber and sing the song of Coke all he wants, but at the end of the day people are going to know it's a Pepsi he's trying to sell them, not a Coke, when it comes to that particular line.

The member for Etobicoke-Rexdale said we didn't say anything about the new technologies introduced in this bill. Let's talk about that technology: a red light on the cars of the Ministry of the Environment. They're going to have flashing red lights on their cars. What technology. Then they've got another one. They're going to have registration forms by e-mail. I would not argue those are bad things, but don't come in here and try to tell us about all this technology stuff you're doing. We know in the end that the red light consists of a light bulb and a battery. I don't consider that a heck of a lot of technology.

Then he said our government was worried, as the Liberals were, about micromanagement of the Ministry of the Environment. I'll tell you, if anybody in the business sector took your attitude when it came to running their business, they'd go under in a flash, because you have to be worried about what happens on the floor as well as what happens in the till.

The Deputy Speaker: Further debate?

Mr Joseph N. Tascona (Simcoe Centre): I'm very pleased to join the debate with respect to the Environmental Statute Law Amendment Act. I believe this act deserves our support because the Environmental Statute Law Amendment Act, if passed, would enhance the ability of the Ministry of the Environment to protect Ontario's air, water and land. I know we all want to see this come about.

During the debate today on the act we've heard from members from all sides of the House, and what comes through clearly is that in every case there is a desire to see a better-protected environment.

A clean environment is, after all, essential to the health and well-being of our communities. By well-being, I'm referring to both health and prosperity. Environmental and economic well-being are mutually interdependent. You can't have a strong economy with a compromised environment, at least not for long, and the long-term is what we're all concerned with. Sustainability means economic growth that doesn't compromise the environment, that in fact ensures its protection.

I'm sure everyone here is aware of the importance the environment industry itself plays in the Ontario economy.

The Ontario government and the Ministry of the Environment have certainly recognized this importance and have worked closely with the environment industry sector to ensure its ability to compete both in Ontario and abroad. It's not only companies in the business of protecting the environment that are thriving; it's also companies that adhere to the highest environmental management standards in their operations.

The numbers cited by John O'Toole from a Ministry of the Environment report comparing the performance of environmentally responsible companies with the TSE 300 are truly impressive. This helps build the compelling case for why the environmental protection is in the best interests of all companies and industries.

A well-protected environment is, of course, in the best interests of all Ontarians in terms of their health. Perhaps the clearest example is the need for cleaner air and less smog. Being here in the middle of a major urban centre means we're all acquainted with the effects of air pollution and smog. These effects are strongest for those who are the most vulnerable: children and the aged. Smog also harms the environment and takes a big bite out of the Ontario economy by destroying crops.

As you know, Mr Speaker, I'm a big proponent of rail, especially in my riding of Simcoe Centre. There's no doubt that it's more efficient use of our resources in terms of ensuring that we have a very vibrant rail industry, and not increasing and expanding the number of lanes on the highway as we go up Highway 400.

I know that smog has been a major concern of the honourable minister, Norm Sterling. This government is tackling the number one domestic source of smog — cars, trucks and buses — with Drive Clean. We're also taking many other actions to reduce this problem and that's in spite of the inaction of the federal government in terms of putting money into the rail industry where it's needed.

You can have the best programs and standards in the world, but their effectiveness is reduced without the ability to enforce them to the fullest. With Drive Clean, enforcement comes in the form of the ability to deny registration to vehicles that don't meet our emissions standards. That's a pretty strong incentive to comply.

Unfortunately, the ministry's compliance and enforcement tools and the inability of the federal government to act have been limited in some cases, thus restricting its ability to provide the best possible protection of air, water and land.

I'd like to focus my comments on how the Environmental Statute Law Amendment Act will help ensure that the Ministry of the Environment can meet its mandate through compliance with and enforcement of its policy, programs and regulations.

One of our greatest challenges is dealing with the waste produced by individuals, companies, institutions, industrial plants and so on. I know this is of concern for Ontarians from all walks of life and we're seeing the results of those concerns in many ways.

A prime example is the blue box and the various recycling programs and waste reduction initiatives ongoing

across this province. We're also seeing that by and large Ontario companies want a cleaner environment and are living up to their responsibility to comply with requirements for responsibly managing their wastes.

Unfortunately, as my colleagues have commented on, there are some bad corporate players that don't want to live up to their responsibilities. They don't want to go through what they see as the hassle of managing their waste responsibly. In fact, since 1985, convicted polluters have gotten away with \$10 million in unpaid fines. It's all well and good for members of previous governments to talk about the fines levied while they were in office, but the simple fact is they often weren't collected. I personally consider that an offence against both the environment and our justice system.

Sometimes it's just careless; sometimes it's just plain arrogance. The rules are for the fools, they say. They won't be saying that if we put into practice the proposals we're making under the Environmental Statute Law Amendment Act, which places high priority on deterring would-be polluters.

As John O'Toole said, we'll be putting some environmental offenders out of business because they're more prone to be the types who just want to make a quick buck and aren't interested in competing in any real sense of the word.

The more illegal operators that go out of business, the better it will be for the environment. Those who choose to stay and compete on more fair terms will be reducing the effects of their operations on Ontario's air, water and land. If they can do that, then more power to them, but they'll have to prove it through compliance, and compliance is the *raison d'être* of making sure that the environmental protections this province needs are enforced and that we seek to have compliance. That's what this government is doing.

The Environmental Statute Law Amendment Act contains many disincentives to pollute. A longer list of offences, with jail as punishment, is one such disincentive, and it's a powerful one. So are increased fines, especially backed with a greater ability to collect them.

The ministry would also have an enhanced ability to catch more of the people involved in the commission of environmental offences — not just the chump who gets caught, but the organizers, the masterminds, the people who have exploited their ability to operate silently behind the scenes, with little vulnerability to prosecution.

If disincentives aren't enough, we're also proposing, with the Environmental Statute Law Amendment Act, ways to increase environmental protection by increasing the ability of ministry officers to take away the tools of the trade of polluters. Taking the tools of the trade away will in many cases stop polluters dead in their tracks. Some of the initiatives we're talking about, as I indicated earlier, are seizing licence plates and permits from vehicles used to commit environmental offences, streamlining the process by which environmental officers issue compliance orders in the field, applying new —

The Deputy Speaker: Order. We have two late shows, so we're going to be stopping right at 6 o'clock.

Mr Tascona: Is it 6 o'clock, Speaker?

The Deputy Speaker: It is.

1800

ADJOURNMENT DEBATE

The Deputy Speaker (Mr Bert Johnson): Pursuant to standing order 37, the question that this House do now adjourn is deemed to have been made. The member for London Centre has given notice of her dissatisfaction with a question to the Attorney General. That will be heard now.

BOARD OF INTERNAL ECONOMY DECISION

Mrs Marion Boyd (London Centre): I was dissatisfied with the answer of the Attorney General. He did not explain why he, as the chief law officer of the province of Ontario, who was named both as the Attorney General, the individual, and on behalf of the Ontario government, in a series of lawsuits that went back and forth in terms of the McLean-Thompson case, did not assume that responsibility and was not prepared to answer to us about how he assumed that responsibility.

I would remind you that when he was first asked about this, the first thing out of his mouth was, "You know very well that any advice that's given is privileged." It sounded as though advice was given, but it was privileged. The next thing we hear is: "Well, no, we didn't have carriage of this. It went to the Legislative Assembly." Then we hear from him a series of comments about what roles he had or didn't have, and of course we all saw that each time he got to his feet he got a note telling him to hand the question off to the Acting Premier of the day.

This is a matter of principle. The Attorney General of the province has a responsibility to know what the facts of the case are when the government of Ontario and the Attorney General of Ontario are named as co-defendants. It is quite true that there may be a determination that the lawyer for another body may have carriage of the case, but the responsibility to monitor that case and to be there on behalf of the public of Ontario remains with the Attorney General.

In this particular case our questions of the Attorney General were, had he been briefed on the facts of the case, was he aware that the government members were proposing a settlement in the case and what was his advice on that case?

We cannot see in either of the two written pieces of advice, either the one for the Tory caucus or the one that came to the Legislative Assembly, any indication that there was a real risk that the people of Ontario would be on the hook for paying \$600,000 in this case. Even the lawyer — who made a very hasty opinion, I may add, since the first offer was made on December 2 and the

letter came in dated December 3, and who knows whether it was before or after the government members made their decision at the Board of Internal Economy — said very clearly, first of all, that he had no information about the merits of the case on either side, that he was merely saying yes, in some cases it is wise to settle if you think your costs may be higher.

The lawyer for the Legislative Assembly, Mr Finkelstein, said:

"It is unlikely that Ms Thompson would succeed in any claim for damages against...the assembly," and that "Allan McLean's proposed claim for wrongful dismissal damages against...the assembly is without merit.... It would be unusual...to pay damages to Ms Thompson, the person allegedly harassed, and to also pay the legal expenses of the person who allegedly harassed her."

The minister of the crown responsible for any actions that are brought against the government of Ontario and against himself, as the Attorney General, claims to have no knowledge of either the facts of the case or any advice that may have been given. He tries to say cases are often settled. The Acting Premier tried to say that because the Hill Times, a newspaper from Ottawa, claims that the federal government pays both sides of cases, therefore it's all right in this case, without any testing under cross-examination, under oath, that somehow there is an assumption that there would have been larger costs for which the assembly would have been responsible.

Every piece of legal advice has suggested that however high those legal costs went as that testimony went on, as that case proceeded, there was very little chance that the assembly would be on the hook for those costs. The problem would be that Mr McLean, if he were found guilty, or Ms Thompson, if she were found to be incorrect, would have been responsible for those.

The Deputy Speaker (Mr Bert Johnson): Pursuant to standing order 37, the member for Renfrew North has —

Mr Sean G. Conway (Renfrew North): Doesn't the Attorney General respond?

The Deputy Speaker: I'm sorry. Are you responding for the Attorney General?

Hon David Johnson (Minister of Education and Training): I will be responding at one time, both for the Attorney General and myself, after the member for Renfrew North.

The Deputy Speaker: According to my rules, only the Attorney General or his parliamentary assistant may respond.

Therefore, again, pursuant to 37, the member for Renfrew North has five minutes.

Mr Conway: My quarrel this afternoon is with the Acting Premier, who is in a very difficult situation. I want to say here this afternoon that the people of Ontario are entitled to better answers than they have been provided, given that they are now being asked to pay \$380,000 worth of public money to resolve a matter in which it is clear they had little involvement and no liability.

I want to say very clearly that on the basis of the evidence before the House, the Legislature knows the following: that there was an allegation of personal misconduct on the part of former Speaker McLean and involving a former staff person, Ms Sandi Thompson. But it was an allegation of private misconduct of a sexual nature that had nothing to do with the Office of the Assembly or the Parliament of Ontario, a private matter between two individuals, the redress of which is clearly, as it is for all other individuals, honourable members or others, in the courts as citizen against citizen.

In the last few days, after the breathtaking announcement by the cabinet-dominated Board of Internal Economy, where the Minister of Transportation and the Minister of the Environment exercised the cabinet majority in that committee to cause this payment of \$380,000 to be made to Mr McLean and Ms Thompson, all we are told by Premier Harris is, "I want there to be fairness for the victims," particularly Ms Thompson, and of course, "We want Mr McLean to be looked after as well."

Well, I say on behalf of the taxpayers that that's not good enough, especially when you have a legal opinion as good as the one provided by Mr Finkelstein, to which Mrs Boyd just made reference; that however painful and difficult and tragic was the circumstance between Ms Thompson and Mr McLean, it was a private matter. The taxpayers should not be expected to pay \$380,000 to solve Mr McLean's private problems, whatever they were, with Ms Thompson.

1810

To be sure, none of us — Mr Harris, Mr Gerretsen, Mrs Boyd, myself and 125 other members — none of us wants to see harm done to Ms Thompson, but she has every right to seek her redress through the courts and Mr McLean has every right to seek his protection in the courts. They have no right — most especially Mr McLean has no right to come to this Legislature and say, "I want \$130,000 of public money to protect me against the claims made in a private matter by Ms Thompson."

When we agree to this settlement, we are accepting a \$100,000 damage claim for Ms Thompson, and I'll tell you, the farmers and the retail workers in my constituency, who are not lawyers, would look at that and say, "That's got to be an admission of some kind of guilt." The question remains: Why are we paying \$380,000 to settle a private matter between Mr McLean and Ms Thompson, particularly when our lawyer, Mr Finkelstein, says, "Don't pay, because you are not involved, you are not liable"? That's the question. There may be other issues, and I say to my friend the acting Premier, who is in a very tough position, a reasonable person is left to ask: "There must be more to this. What is going on here that we can't see?"

Taxpayers are being asked to pay \$380,000, against the good advice of a first-rate lawyer. The question is then, why would you do this? This is not, as some have suggested, a matter of just a wrongful dismissal case, although I do note that Mr McLean, incredibly, is claiming as part of his countersuit wrongful dismissal because

he lost his job as Speaker of the Legislature. If that isn't nonsense on stilts, I don't know what is, but that's the kind of nonsense that we are spending \$380,000 worth of public money to settle.

Can you imagine a welfare mother, can you imagine an injured worker, can you imagine a hog producer out there in Ontario today, having received the back of the hand of the government of Ontario in the last few years — "You've got to do more with less," "You've got to tighten your belt"? This government will go halfway around the world to take back \$10 worth of unreported income from some welfare mother with two dependent children, and crow about it, at the same time as they now offer up \$380,000 of public money to settle a case in which they have no interest. Reasonable people want to know why, and that answer has not been forthcoming.

Hon Mr Johnson: I guess the first point I should make again tonight, as I made this afternoon, is I am not a member of the Board of Internal Economy. I was some time ago. I haven't been a member of the Board of Internal Economy now I guess for about a year and a quarter or thereabouts, and I was not involved in terms of any of the meetings which have arrived at this particular decision.

The Board of Internal Economy, for those who may be watching, is composed of four government members, a Liberal member, an NDP member, and the Speaker chairs this particular committee. The committee is an independent committee of government and it's set up to look after this House, the budget of this House, the Clerk's department, the Speaker's office, the Ombudsman, the Environmental Commissioner, the auditor. Entities which have an independence from government come under the jurisdiction of the Board of Internal Economy.

I have no immediate, direct knowledge of all of the facts that have gone into this particular decision of the Board of Internal Economy, but I think they attempted to make the best possible decision, knowing the individuals involved, with the facts of the matter, an unfortunate matter that dates back for many, many months, well over a year and a half now, I think, or the better part of two years, as I can recall. Maybe what's being forgotten here is there are two individuals involved and two people have decided through this decision to put the matter behind them.

Subsequent to this decision, there were a number of lawsuits that were outstanding. I know at one time the members of the Board of Internal Economy were the focus of lawsuits, the Speaker included, as well as the individuals involved. I believe at this point in time, I've been told up until this particular resolution, that this Legislature was the subject of a lawsuit, so it's certainly broader than these two individuals.

The meter has been ticking. The money for lawyers on all sides has been running month after month, day after day, and frankly almost year after year.

This body has looked at this matter, as best I can determine, and said we can bring a resolution to this matter, a closure to this matter now with a certain sum of money, or

we can wait for a year from now. Pay me now or pay me later, I guess, as the old expression goes, and if you pay me later, then how much is later? I guess if you ask the average person, "How long does it take to get through the court system and get a decision on certain matters?" most people generally know that can take months and months, if not years and years.

When you're in a position like this, sometimes you have to make tough decisions. I know from my years at municipal and provincial government that you have to make tough decisions, settlements regarding people disputes. I know through my experience with various works disputes that even something as benign as a sewer project — when they're digging sewers they can run into rocks or gas leaks or whatever and the suits come in and you have a choice. You can fight it on and on forever and pay that much in legal costs or you can settle now, even though sometimes it's aggravating, sometimes it's frustrating, and you can save the taxpayers the money.

The best I can make of it is that the members of the Board of Internal Economy, aware, yes, as members noted, that in the federal government they do spend hundreds of thousands of dollars for wrongful dismissal

suits — other organizations, private sector organizations, the federal government encounter similar kinds of situations, if not precisely the same. Generally speaking, there comes a point in time where you say we make a resolution or we put the taxpayers at risk for even more and more money as the months and years go by.

So apparently they've come to this decision to settle, to put this behind them, to let the two individuals get on with their lives. I would urge the opposition — you know, by repeatedly raising this you're running roughshod over the lives of these two individuals who, through this settlement, are putting this behind them. I think it's time to make that resolution and —

The Deputy Speaker: The time for this item of business is over. This House stands adjourned until —

Mrs Boyd: You can't spin it that way.

Mr Conway: It's the most generous welfare payment I have seen for years, under the most remarkable circumstances.

The Deputy Speaker: If I could get a word in, this House stands adjourned until 6:30.

The House adjourned at 1818.

Evening meeting reported in volume B.

ERRATA

No.	Page	Column	Line(s)	Should read:
66B	4045	1	50	Mr John L. Parker (York East): He won't.

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Second Session, 36th Parliament

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Deuxième session, 36^e législature

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Journal des débats (Hansard)

Thursday 10 December 1998

Jeudi 10 décembre 1998

Speaker
Honourable Chris Stockwell

Clerk
Claude L. DesRosiers

Président
L'honorable Chris Stockwell

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 10 December 1998

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 10 décembre 1998

The House met at 1831.

ORDERS OF THE DAY

HOLOCAUST MEMORIAL DAY ACT, 1998

LOI DE 1998 SUR LE JOUR COMMÉMORATIF DE L'HOLOCAUSTE

Mr Chudleigh moved third reading of the following bill:

Bill 66, An Act to proclaim Holocaust Memorial Day — Yom ha-Shoah in Ontario / Projet de loi 66, Loi proclamant le Jour commémoratif de l'Holocauste — Yom ha-Choah en Ontario.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): On a point of order, Mr Speaker: I believe we have unanimous consent among all three caucuses that each caucus shall use up to 20 minutes each prior to the taking of the third reading vote.

The Deputy Speaker (Mr Bert Johnson): Is there unanimous consent for a splitting of the time, 20 minutes each? Agreed? It is agreed.

Mr Ted Chudleigh (Halton North): I'll be sharing my time with the member for Nepean and the member for York Mills.

I rise today to ask this House to unanimously support Bill 66, An Act to proclaim Holocaust Memorial Day — Yom ha-Shoah in Ontario.

This bill speaks to the need to defend our framework of human rights and democratic freedoms which we enjoy in this province but which still eludes millions of people worldwide. The bill will help us focus our personal memorials to the victims of all state-sponsored genocide and provide a focal point for education on the central theme: never again.

If passed by this House, we will designate an annual day of the Holocaust in Ontario.

It is most appropriate that this bill should receive third reading on this date, the 50th declaration of human rights and one day after the same anniversary of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide.

The human rights declaration of 1948 marked a fundamental change in the notion of citizenship. Sparked by the declaration, people are realizing that they are citizens of the world first and subjects of various governments second when dealing with the issues of human rights.

Defending humanity is a higher purpose than defending government policy. No longer can a government act with impunity within its own borders. Slowly, this idea of global citizenship and responsibility has begun to take hold. Examples are in our daily newspapers. The British government is right now on the cusp of prosecuting former Chilean dictator Augusto Pinochet for murder, and the French government is considering the arrest and trial of one-time Haitian strongman "Baby Doc" Duvalier.

International citizenship, which can be defined as the basic human rights any person in this world should enjoy, is the product of those 1948 documents of the United Nations. The human rights declaration and the convention on genocide recognized civil, political, social, economic and cultural rights for all humanity. In Britain and France today we are seeing the exercise of a corresponding responsibility to uphold human rights and punish the offenders, be they governments or individuals.

Adding to the weight of these United Nations documents are numerous other international conventions, treaties and covenants on racial and gender discrimination, economic, social, religious and cultural rights, civil and political rights and children's rights. Each one of these documents whittles away a little bit at the notion of impunity of governments or nations when dealing with human rights.

I hope that this bill for a Holocaust Memorial Day in Ontario does its part to scrape away ignorance and help build bridges of understanding between governments, nations and individuals.

In 1933, Nazis began to systematically strip Jews of their human rights. In the Balkans, in Rwanda, in Turkey, in Ukraine, in Cambodia, in every instance of state-sponsored genocide, the victims have been first demonized and then stripped of their civil rights as citizens and human beings. We need to learn the lesson that people must take an active role defending our society. Atrocities visited upon various ethnic groups and others in Europe in the 1930s and 1940s were carried out with the active help of local collaborators and the indifference of numerous bystanders.

Jews were forced out of universities and barred from public sector jobs. Laws were enacted which stopped Jews from attending public schools and going to movie theatres or vacation resorts, and eventually they were barred from certain sections of cities. This sickening spiral led to attacks and boycotts of Jewish businesses and soon to physical attacks and imprisonment.

Rights were stripped away bit by bit, eventually rendering Jews second-class citizens in their own country,

a country where their forefathers lived, died, and in many cases defended that country from attack. Some people, such as Raoul Wallenberg, Swedish ambassador to Hungary during the war, fought against state oppression. His actions saved the lives of more than 100,000 Hungarian Jews. His actions should be an inspiration to us all, especially when we read of ethnic cleansing in the Balkans, tribal warfare in Africa and the violence in Indonesia.

This bill recognizes that we must defend our democracy to best defend our human rights. It is only by those actions that we can claim true international citizenship and can call on our fellow citizens to defend us should we need their help.

This bill is meant to call attention to what was done to Jews in Europe and, by extension, to all victims of genocide. I hope schools will use this recognition as a springboard to teach the profound lessons of genocide and to teach of man's inhumanity to man in numerous places around the globe.

As perhaps the best-known and most deadly genocide, the Jewish Holocaust is a symbol of all other state-sponsored genocides. It is still true, however, that the most poignant of these atrocities to any individual is the one with which they have experienced personal loss.

My heart goes out to all victims of this most terrible form of murder. This is murder where a person's own government, charged with improving their well-being, is acting absolutely against their continued existence.

I ask this House to join with me and vote to include Ontarians among the citizens of the world willing to accept the responsibilities that go along with that citizenship.

I'd like to acknowledge the support for this bill from all members of this Legislature and from all parties of this Legislature and thank them for that support.

Mr John R. Baird (Nepean): I want to say at the outset how honoured and privileged I am to have the opportunity to lend my unconditional support to Bill 66, An Act to proclaim Holocaust Memorial Day in Ontario.

I also want to thank, on behalf of my constituents, the good number of people in Nepean and indeed in all of Ottawa-Carleton who have contacted me to indicate their support for this effort. I want to thank personally and congratulate my caucus colleague Ted Chudleigh, the member for Halton North, for his work in this endeavour and indeed all members of this House for agreeing to the speedy passage of this symbolic but very important piece of legislation.

The real danger in our society is that with time we might forget the very valuable lessons of the Holocaust. We might forget because far too many who witnessed the genocide and human tragedy were never able to survive to tell their tale. With the passage of time, those survivors who did, some of whom are with us today, are with us in smaller numbers.

1840

The symbolism of our Legislature passing this bill will send an important message right across Ontario, and indeed the world, that collectively we will work to ensure

that the memory and experience of the victims and survivors of the Holocaust are never forgotten, that collectively in Ontario we will never allow those who propagate hate and violence to go unchallenged.

The years leading up to the Holocaust will perhaps give us just as much pause for thought, because it was there that an environment developed. There are some very important lessons for us to learn from that experience. The state didn't just turn a blind eye to hate and to violence. They watched hate and they encouraged hate, and as my colleague from Halton North said, rather than being the protector of all of its citizens, the state began encouraging hate and then violence, and finally the state itself began to propagate that hate at every level of society, be it in laws, be it in the school system, be it in the universities, be it in business and commerce. Finally, the state began the violence which led to genocide.

Even today we must not forget the lessons of the period leading up to the Holocaust. It's very important. Today in the Balkans, as we speak and debate this bill, right at this hour, on this day, tragedies take place. I'm sad to report that on the very day that this Legislature gave second reading to the bill by my colleague Mr Chudleigh, the Holocaust Memorial Day Act, a Jewish school in my riding was the victim of an arson attack. Just a few hours after Yom Kippur, the Jewish Day of Atonement, École Maimonides was struck by an arsonist. It was tragic, not because we had just passed this bill earlier that day or because it was on the eve of Yom Kippur; the most troubling thing was that it was not the first time. The school was attacked just four years ago.

Our community will not allow criminals and those who propagate hate to win. We will speak up, not just in the Jewish community, not just in any one community, but as a community and as leaders in the community. We will help the school rebuild and work to ensure that this can't happen again. Regrettably, it did, and to visit the school, where two charred classrooms remain — I asked why it was separated from the rest of the school, and Rabbi Berger, Rabbi Blum and Rabbi Botnick said they didn't want the children to see the damage that had been done to their school. They didn't want their children to realize that there was a real potential, that once again the school had been targeted, that someone wanted to leave a degree of fear with the children, with their parents and the entire community.

Holocaust Memorial Day will give all of us an opportunity to reflect, to educate ourselves and, most important, to educate future generations of young people about the important lessons of the Holocaust, the most important being: never again.

Hon David Turnbull (Minister without Portfolio): I'm privileged to add my support to the passage of this bill, the Holocaust Memorial Day Act, 1998. It's important to ensure that we never allow the memory of the horror of state-sponsored persecution and the murder of six million Jews in the Second World War to be erased.

We do this by establishing Holocaust Memorial Day, Yom ha-Shoah. It's appropriate that we do this on the

50th anniversary of the declaration of human rights. We should use this day to reflect on this and other atrocities around the world euphemistically called ethnic cleansing.

I'm going to be very brief in my comments, but I would say on a personal level that I'm reminded of a very dear friend who was born in a concentration camp at the end of the war. His family survived. Many did not. Sid, this one's for you.

We are the first in the world, to the best of my knowledge, to create such a memorial day. I hope many more will follow. We must never forget.

I want to congratulate my colleague the member for Halton North, Ted Chudleigh, for bringing forward this bill.

Ms Annamarie Castrilli (Downsview): I'll be splitting my time with the member for Wilson Heights and the member for Oakwood.

Let me first say how pleased I am to be engaging in this debate and that this debate has been expedited. I want to commend Mr Chudleigh for bringing the bill. I also want to commend my colleague Gerry Phillips, who rose in this House and put a motion so we could move directly to third reading and so we could have this bill in time for Hanukkah, the festival of lights, a festival of faith and of freedom. How fitting that this House should be speaking to this bill this evening and making that possible.

What has been said before has been very eloquent, has been very real, has been very painful. I want to congratulate the members of the Jewish community who are here. Some of them are Holocaust survivors, and I'm sure that tonight, while it may be a vindication of what they went through, it's also a reminder, again, of the atrocities they have had to suffer.

I'm not going to engage in some of the historical recounting we've heard here this evening. I think my colleagues have spoken volumes on that point, and others to follow. The fact is that this is a rare show of unanimity in this House for a recognition that has been a long time coming.

I want to recount a personal experience as a Canadian who has had the privilege of living a fairly comfortable life, certainly a life characterized by democracy in our country and by freedom of faith. Several years ago, I was fortunate enough to travel to Israel and to live for a very short period of time in Jerusalem and to see first-hand what some of those atrocities must have been like. Even through the eyes of a foreigner I was able to see that you could never really depict the enormity of what must have happened.

I remember one afternoon at the Yad Vashem memorial in Jerusalem. Any of you who have been there will know that you come away changed, and I came away changed. The notion that people could do this to other people, could demonstrate such profound disrespect for life, such profound disrespect for human dignity, that we would as a people condone that — the world stood silent as individuals were being massacred, as they were being burned, as they were being destroyed. For someone like me, who grew up in Canada, it was a shock, I will tell you. It was a

shock that was long-lasting. As I saw people who went through it, there wasn't a dry eye in the place, and there were people like me who were coming to grips with it for the first time.

Imagine what it must be like if you had actually gone through it, if you had actually been to the ovens, if you had actually been waiting for a death sentence every single day, not knowing when it might come. Imagine seeing yourself being torn away from your family, from your children, not knowing if you would ever see them again.

Those are very poignant feelings, and I think today we are doing something very small, a little, tiny step, to say we don't agree with that. Hopefully we would never have agreed with that if we were there, but we recognize now that it's more important than ever to say: "What happened was unjust. We stand as witnesses that it should never happen again." Ontario in one small way is able to say to the world: "We will honour the memory of those who died. We will honour the importance of human dignity. We will value life." That's what this bill is about.

1850

Mr Monte Kwinter (Wilson Heights): I rise today to join in supporting the bill put forward by the member for Halton North, Mr Chudleigh, and I congratulate him for bringing it forward.

This bill will enshrine in the laws of Ontario a fitting memorial to the 27th day of Nisan, which is known as Yom ha-Shoah, Vehagvurah, the Holocaust memorial.

Each year — and I have to commend all governments because it has happened with all governments — we have a day that we do honour those, particularly Ontarians, who have survived the Holocaust. We have a ceremony, which the Premier attends, and it is something that really gives meaning to the contribution of those survivors who have made their way to Ontario and who have made a life for themselves and put the horrors of the Holocaust behind them.

One of the interesting things about the Holocaust is that for most people who did not live through it, the huge number, the six million, is very difficult to comprehend, because it is so large. The only way you can really come to grips with it is if you bring it down to the human level.

I was really touched. Just a month ago, as you know, I stood in this House and spoke on the occasion of the 60th anniversary of Kristallnacht. That night I went up to the Beth Emeth Synagogue and I heard Gerda Frieberg, who's up in the Speaker's gallery, tell a story of her particular experience on Kristallnacht. I can tell you, there wasn't a dry eye in the synagogue. My colleague the member for Halton North sat beside me, and we listened to this story.

That story is repeated and repeated and repeated throughout the world. The sad part about it is that those people who can give testimony to what happened are disappearing. Through no fault of their own, they're aging and they're disappearing. As a result, in a relatively short period of time there will be nobody left who can actually give first-hand testimony as to what happened.

One of the key things I find in Bill 66, if not the key thing — because everybody knows the Holocaust; everybody has some idea of what it is — the key phrase is that we will “reflect on and educate about the enduring lessons of the Holocaust.” That is absolutely critical, because while this is a day where we’re celebrating human rights and all of these wonderful, wonderful attributes of a democracy, there are still those who claim the Holocaust never even happened.

On November 30, 10 days ago, I received a letter in my office, addressed to “the Liberal member of Parliament.” I just want to quote from it. It’s unsigned, of course, because all these letters are unsigned. It’s purported to be an article that was written by a rabbi. What it says is this:

“They” — this is the Jews — “concocted horrible stories of gas chambers which Hitler, they claimed, used to burn them alive. The press overflowed with pictures of Jews being gunned down by Hitler’s machine guns or being pushed into gas chambers. The [press] focused on [suffering] women, children and elderly people in order to rouse empathy and claim reparations, donations, and grants from around the world.

“The truth is that such persecution was a malicious fabrication by the Jews. It is a myth which they named ‘The Holocaust’ in order to rouse empathy. Credible historians challenge this Jewish [myth], calling for [more] persuasive evidence to be presented. The Los Angeles Historical Society declared that it would grant US\$50,000 to anyone who could prove Jews had been gassed to death. Jews exerted intense pressure and cast accusations of anti-Semitism everywhere in order to silence this challenge.”

I say to you, my colleagues, try telling my father that his brothers were not gassed in a gas chamber. Try telling the people up in this gallery that they, their loved ones, their children, their grandparents, their friends did not suffer under Nazi persecution. Try telling them that. Yet we have synagogue desecrations, cemetery desecrations, rising anti-Semitism, this garbage that’s being disseminated at will, the Ernst Zundels of the world who take over the Internet and disseminate their distorted view of what is happening in the world. It is that kind of thing that we have to address with this bill.

Let me tell you an interesting story. In this same article, the author goes to great lengths to work out the mathematics, saying that the capacity of the gas chambers at Auschwitz was not large enough to kill six million Jews. He worked out the mathematics. They would have to kill 12,000 a day. What they don’t understand is that not all of the atrocities were committed in gas chambers.

I want to share with you an interesting story that happened to me when I was the minister. I have to admit I was born in this country. I certainly know the issues of the Holocaust. But when I go to the synagogue on Yom Kippur and Rosh Hashanah, there is always a prayer to remember those who suffered in the Holocaust. They will usually list Treblinka and Birkenau and all of the various camps, and in that list would be Babi Yar. I had no idea, notwithstanding that I’m a Jew, what Babi Yar was. To me, it was just another name.

I led the first mission to Ukraine while it was still part of the Soviet Union. It was in 1989. I led a delegation of 100 Ukrainians. When I was a minister, I always made a practice of including in my resumé, which most countries wanted to see because there would be official things I had to do, that I was the founding president of the Toronto Regional Council of B’nai Brith. Not that I was that proud of it, which I was — that was not something I thought was of importance — but I wanted there to be no mistake that I was a Jew, because a lot of people, when they hear the name Kwinter, don’t know what it is, and I wanted to make sure there was no mistake that I was Jewish.

When I arrived in Kiev, the Prime Minister met me and said, “Mr Minister, we’ve arranged for you to go to Babi Yar.” I have to admit I had no idea it was even in Ukraine; I had no idea where it was. On the appointed day I went to Babi Yar, which is a little park. It’s a park outside of Kiev. “Babi Yar” means “Grandmothers Park”; “baba,” for those of you, “bubi.” What happened is that the Germans decided that in order to exterminate the Jewish population of Kiev they would make an announcement that all of the Jews were to be relocated. In order to be relocated — they were going to be put in a safe haven — they were to assemble at Babi Yar. On this particular day, over 33,000 Jews congregated in this ravine in Babi Yar.

The irony of it was that some of the local Ukrainian people really resented the fact that these Jews were being relocated to safety when they had to stay behind. So they fell in with them and went to this park. When they got there, of course, all of them were machine-gunned, killed on the spot, and then bulldozers came in and covered them over.

The interesting thing about the visit, other than filling you in on what Babi Yar was, is that there had been representations by the world Jewish community to the Soviet government, because at that time it was part of the Soviet Union, that the memorial at Babi Yar just said that the only people who suffered in this massacre were citizens of the Soviet Union; no reference to the fact that 99% of them were Jews. When I arrived — and I didn’t know any of this — there was a brand new plaque in Yiddish, which I happened to read, acknowledging that these in fact were Jews.

It’s situations like that which we absolutely have to be on the vigil about. We have to make sure that the atrocities that happened — and again, it is absolutely critical to understand that this is the first time in history where a government has turned on its own citizens. We’re not talking about wars where there is the enemy; we’re not talking about any of these things. These were citizens of Germany. These were people who had been there for generations, who had been at the forefront of the arts, of science, of business. They were people who felt they were totally assimilated, totally loyal to their country, and their government turned on them only because they were Jews. It was for that reason and that reason alone that they were exterminated.

1900

The only way you can really comprehend — and I have to give credit to some of those people who are in the film

production business — is by bringing it down to human terms. We all know the stir that Schindler's List created, because what it did was allow everybody to take a look at what was happening. We all know the story of Raoul Wallenberg. A young man from Sweden went to Budapest, had no connection whatsoever to the Jewish community and saved 100,000 Jews by giving them passes that designated them as Swedish citizens, which allowed them to escape. It is things like this that have to be brought forward so people can understand that what we are talking about is a period in our history that has no parallel whatsoever.

With all due respect to those who try to tie this in with other atrocities, there is nothing that has reached the magnitude of this particular black period in our history. To paraphrase Franklin Delano Roosevelt when he talked about the attack on Pearl Harbour, "This is an event that will go down in infamy." It is something we must absolutely keep at the forefront and educate our children about. We all know the old maxim that those who do not remember or learn from the past are doomed to repeat it. We must constantly keep it alive; we must always remember so the world will never forget.

Mr Mike Colle (Oakwood): I certainly want to commend the member for Wilson Heights for his very personal and heartfelt words, which are very close to him and his family.

I want to quote from Elie Wiesel. I think this is the reason why this bill has to go forward. It's about teaching; it's about making people remember, making our children remember and making sure they never forget what has happened to innocent people through no fault of their own.

When Elie Wiesel won the Nobel prize, here's the comment he made in Oslo, Norway, on December 10, 1986:

"I remember it happened yesterday, or eternities ago. A young Jewish boy discovered the kingdom of night. I remember his bewilderment. I remember his anguish. It all happened too fast: the ghetto, the deportation, the sealed cattle car, the fiery altar upon which the history of our people and the future of mankind were meant to be sacrificed.

"Now the boy is turning to me: 'What have you done with my future? What have you done with my life?' I tell him that I have tried and I have tried to keep memory alive, that I've tried to fight those who would forget, because if we forget, we are guilty, we are accomplices."

Elie Wiesel, December 10, 1986.

I think this is part of not forgetting, of letting people know that the death of their innocent relatives was not in vain. The little we can do is ensure that our children are taught in schools, making sure there is a day like Yom ha-Shoah, making sure that one day we will have a stand-alone Holocaust museum in Ottawa. I had the pleasure of visiting the Holocaust museum in Washington a couple of times, and I encourage everyone, if they can, to do so. It brings the horror to life.

It's so easy to say, "It's not part of my life," but it's part of all of our lives. As I mentioned earlier, when Mr

Chudleigh first presented this bill, we all know the story of the St Louis, which was turned away from every port in the western hemisphere, was turned away from Halifax. Those 900 people were desperately looking; they found no refuge. So it wasn't just a European thing; the whole world has to take responsibility. By supporting Mr Chudleigh's bill, by marking Yom ha-Shoah, we are taking a little responsibility. That's the least we can do for those innocent people who suffered at the hands of the horrific Nazis.

Mr Tony Silipo (Dovercourt): I'm pleased and proud to rise to begin debate for the NDP caucus and to indicate very clearly our support for this very important piece of legislation, Bill 66, An Act to proclaim Holocaust Memorial Day — Yom ha-Shoah in Ontario.

Like I'm sure everyone else in this place, I'm proud to stand here on any day as one of the 130 elected representatives, but I have to tell you, tonight I feel not just proud but humbled to have the opportunity to give consent to this legislation. I say that with all sincerity.

While we, from day to day — we certainly were this afternoon and no doubt will probably be later this evening — are caught up in the partisan nature of this place and in the respective positions we bring on various issues — very differently from the government, the two opposition parties — I think it's particularly fitting that we also are able, on occasions such as this, to come together and support a bill such as the one presented to us by Mr Chudleigh and to say that regardless of political background, regardless of partisan differences, we can stand together proudly as one Legislative Assembly and give our agreement to this piece of legislation, legislation that recognizes formally the commemoration of the Holocaust and sets out a day in the year on which that will be remembered in a particular way.

Any of us who were not touched directly by the Holocaust can only begin to imagine the situation and the plight that those individuals — and I know there are a number in the gallery tonight who have themselves or through their families been affected directly — have gone through as victims or as sons and daughters of victims of the Holocaust.

My own connection to the issue is obviously, like everyone else here, as a legislator, as a citizen of Ontario, but I was particularly proud to have had the ability to work with members of the Canadian Jewish community in looking at some materials that should be added and were indeed added to the school curriculum in our schools, particularly here in Toronto. Indeed I know they were, through their efforts, throughout Ontario, to ensure that our young people were even more aware of the Holocaust, what it meant, and to ensure that they particularly, as young people above all, are given the lessons and the understanding of the Holocaust so that it may not ever happen again, so they can take the lesson from history that unfortunately sometimes people do not take.

I want to make one other comment with respect to this issue. I have received, and I assume other members of the House have received, letters from a number of organiza-

tions with respect to this bill, suggesting to us that the more appropriate way to go would be to recognize that there are other groups, other peoples, that have been affected by various forms of genocide, and that perhaps what we should be doing is looking at establishing in legislation something that would go beyond recognizing the Holocaust.

To those groups I want to say that I agree when they make the point that there are other forms of genocide that also need to be denounced, and need to be denounced in a variety of ways. But I want to also be very clear that I don't believe it's appropriate to get into a situation where we are trying to measure one against the other. What we need to do is deal with each of these issues. Quite frankly, I would not mind if this particular act by this Legislature results in other issues of a similar nature or a different nature being brought to our attention as legislators, with requests that other types of legislation be enacted, because I think that would also serve the objective that this piece of legislation serves, which is to bring this issue to the public's attention and to say that as the Legislative Assembly of Ontario we decry what went on, known as the Holocaust, and that we believe that kind of genocide, that kind of mass killing of people simply because of who they were is wrong, needs to be denounced, needs to be remembered, and that the lesson needs to be passed on to our young people. We do it here tonight with that conviction as it relates to the Holocaust, and that in no way predisposes or suggests that we would not be prepared to do it with respect to other events that took place throughout the world in our history that we would equally denounce.

I stand here today, not just proudly but with a great sense of humility, in giving agreement and consent to this bill going forward, and I echo the words of others who have said how appropriate it is that we are able to do this, particularly today on the 50th anniversary of the signing of the human rights declaration and particularly as the Jewish community prepares for the all-important festival of Hanukkah that is about to begin. I just want to reiterate our support and how appropriate it is that this kind of legislation comes to this House in this way and has the support of all three parties in this Legislature.

1910

Mr Rosario Marchese (Fort York): I too want to take some moments to talk about my support for this bill, An Act to proclaim Holocaust Memorial Day, and say that we all have a role to play in remembering that history. This is an act that tells the public that we remember, that we haven't forgotten, that this is yet one other forum where politicians can be actively involved, if even in this way, to remember that a whole people have been persecuted and many have been annihilated and that it's not something that should be forgotten by anybody.

But I would add that beyond establishing such an act, we politicians have an important role to play in terms of being proactive and not reactive to acts of racism, which we often are. We tend to react to those acts, and what we must do is be proactive in our policies of anti-racism in

general. When we do that, these acts that we present and we support have much more meaning, therefore, because in itself just remembering isn't enough. We need to do more than that, and it has to happen all over, in every sector of our society. The educational system is one of them.

I recall the member for Dovercourt and I being trustees with the Toronto Board of Education, where we established 136 anti-racist recommendations and realized a couple of years later that we had barely implemented a few, not all of them. In the books we had great anti-racist policies to be admired by the country and we would show those policies as a way of saying, "Look how progressive this board is." But if you don't implement those recommendations, they're just policies, they just look good, they're just on paper. So we need to commit ourselves as politicians, as educators, as people working in every workplace, that we need anti-racist policies to deal with issues of racism, and then these acts are much more meaningful.

I worry about our reactive policies where we constantly have to deal with issues of racism, and as much as we have made progress in Ontario and in Canada — and I think we are a much more progressive society in general in terms of our ability to respect human rights by and large — we've got a long way to go. This country and most countries still have a long way to go.

Again, like the member for Dovercourt, I am not connected to the issue as Jews would be. My partner is half-Jewish and her grandparents left Germany during Kristallnacht. They were spared, so in this regard my partner is very lucky not to have had the personal horror that so many others have had to endure on a regular basis, because when you have to listen to the stories — I know people would rather not listen to them, not hear them — when you hear them, they stay with you because they're very graphic. It's difficult for me to see those images on television, those historical sights, difficult for me as someone who is not connected, but imagine what it would be like for someone who has lost a family member in that way. It's tough.

My connection is very tangential, but it's my respect for human dignity and my anti-racist principles and work that make me a little more sensitive about the work we need to do. That's why I talk about being proactive and not reactive. I still have a long way to go. I spent years at the Toronto Board of Education working on issues of making sure that we understand our diversity and, beyond celebrating, that we understand how people can be hurt by discrimination, because only when you see it through the eyes of those who have been hurt, discriminated against and continue to face humiliation do you then begin to learn what you need to do to change in your own thinking, your own mind, so that we will never perpetrate or engage in acts or language that hurts anybody.

These are small things and what we're talking about here is remembering something greater than just little acts of hurting somebody, which we might dismiss as a joke. But a lot of people tell jokes that are often very painful

and hurtful, and we don't see that joking has behind it a great deal of discriminatory power. We dismiss racist jokes as simply humorous, we mean nothing by them, but in every joke which is racist, even if you don't believe that you yourself are racist, you are perpetuating a racist view. These are just, again, small acts that need to be dealt with, but we begin there. We begin challenging ourselves, because if we don't challenge our own particular mythologies and discriminatory behaviour that we carry in our own minds, we can't deal with discrimination, generally speaking. Proactivity begins at home and it begins in our own minds before we can get to the larger acts of discrimination.

Mr Kwinter talks about how there are still many people in this country who refuse to accept that six million Jews were destroyed, killed. For some of us it's an obvious fact to be remembered, never to be forgotten, yet you still have people saying it didn't happen, it's perpetuated by Jews, it's mythology. We hear it all the time, it still goes on, telling us that there's still a lot that we need to do in our own province, in our own country, to be able to deal with this issue.

This deals with this particular act of remembrance, and just to add to what the member for Dovercourt said, there have been other acts of genocide to other people. We need to respect that and we need to remember that. Perhaps it was not the time in this particular bill, but it can happen and should happen so we remember that genocide against any people is an inhuman act that cannot be forgiven or forgotten. I just add my voice to that of the member for Dovercourt and many others in support for this bill.

Mr Gilles Bisson (Cochrane South): I want to add my voice in support of this bill and I want to take it from the perspective of where I come from. Like most people here, I have experienced the experiences of the people who lived back through the 1930s and into the 1940s at the hands of the SS and of the Nazi party of Germany.

I want to say this. From my perspective, I was raised in an environment that was quite insulated originally from those notions and insulated in a very funny way because — the member for Fort York touched on it and that's what prompts me to raise it now — we didn't experience those particular experiences ourselves, as horrific as they might be, but somehow or other we were perpetuating to a certain extent some of the notions contained within those actions by some of the things that we did as young people growing up in our province, in the schoolyard, sometimes within our family circles or with friends, laughing at what we thought were humorous racist jokes, making fun at the expense of others and their ethnicity or who they are or where they come from, not realizing until a later age that that is not acceptable conduct for an individual in a caring and free society but in fact is quite harmful to people in the shorter and the longer term. It wasn't until I left home after college and had been out in the world a little bit that I started to realize I was one of those people who were perpetuating that kind of notion by participating, or maybe not participating so much but by not challenging those things that were said to me that some people thought were humorous.

1920

I thank God for the experience I had in the labour movement, because the United Steelworkers of America did something for me, and the Ontario Federation of Labour, where I come from. A lot of the programs we did as trade unionists dealt with those actions as not being acceptable within the trade union movement, not being acceptable within a modern and caring society — that is, a free society — and that as citizens we all have a responsibility to combat those notions and those ideas when they're brought forward. Yes, in a democratic society we have the right to express our minds and express our ideas, but not to do so at the expense of others.

This bill is certainly in keeping with those beliefs that I hold dearly: that for a society to be a society, everybody within it has a place and feels at home and feels free and doesn't feel persecuted and doesn't feel challenged in any way. I want to say as a New Democrat that I am pleased to give my support to this bill and that it is going in the right direction.

I also want to add to the comments that the member for Fort York made when he said that as a society and as a Legislature we need to be proactive. It's all fine that we're here tonight and passing this bill, and it's an honourable thing to do and it's the right thing to do, but I think we need to go back into our communities when we have an opportunity as individuals, as we face situations where people are making fun of others in the types of ways I talked about earlier and others, or saying downright mean things, and have the courage and stand up and say that that's not acceptable; and then to take those convictions maybe one step further and get involved, if we happen to be at home and want to get involved in some way, in trying to change policies at work, trying to change policies at our school boards or trying to change policies here at the Legislature of Ontario to make sure that we build the rules and that we have the laws so that all in our society are respected and given the credit they deserve.

Ms Frances Lankin (Beaches-Woodbine): I want to say thank you very much to Mr Chudleigh for bringing this bill forward. I find it very difficult to contain my emotions as we go through this debate. I think of what's behind this and I think of how important it is for us to provide leadership in bringing a focus of a day in our lives where we will remember, where we will be able to join hands in our communities with people from all ethnic groups to say how wrong this was, to say how important it is that we never let hatred and racism take hold in our communities, take root in our communities, that we don't allow it to grow and flourish, that we weed it out together in solidarity.

I believe that many other atrocities will also share the light of this day in our education programs in the schools as we teach our children. I was amazed at the children who attended Nelson Mandela Day, and particularly a group of students from a school in my riding who understood so clearly how wrong racism was.

Racism is not something that's born in us. It's something that is taught. It's possible to teach our young

people to not just hold views that are not racist themselves but to reject racism, to be the guardians of our future world to ensure that such atrocities, that such twisted hatred, such evil hatred can never again take root, can never again flourish, can never again grow, and our gardens of the future will be full of flowers, and full of peaceful flowers.

I thank you very much for bringing this opportunity to this House.

Mr John L. Parker (York East): It was Stalin who said that a single death is a tragedy; a million deaths are a statistic. I think that's the risk we face. The member for Wilson Heights made the salient point this evening that the sheer magnitude of the atrocity of the Holocaust, the size of it and the horror of, is in itself so great as to possibly anaesthetize us to just how terrible an event it was.

That is all the more reason why it is absolutely essential that we make the effort to keep in mind that terrible event in history and why a bill such as the one brought forward by the member for Halton North to declare a Holocaust Memorial Day in this province, Yom ha-Shoah — how vital it is that we do this and how vital it is that we remember as a group, all at one time, that event and the horror of that event. If we do not, we run the risk that the sheer magnitude of it will blind us over time to the horror of it.

For that reason, I commend the members for speaking in support of the bill tonight. I commend the member for bringing the bill forward and I look forward to its passage tonight.

The Deputy Speaker: The Chair now calls on the person who introduced the bill, Mr Chudleigh. Your comments will wrap up debate.

Mr Chudleigh: Thank you very much, Mr Speaker. It's a very humbling experience to introduce a bill in this House and have it come to this point in the debate. Judging by the comments of the other parties, you'll pardon me if I assume it's going to pass.

When I started this bill, it was a small question or a small statement of concern for the things that were happening in the world around us. It's very moving tonight to be here in this place amongst this House. I thank you all very much for that experience.

The Deputy Speaker: Mr Chudleigh has moved third reading of Bill 66. Is it the pleasure of the House the motion carry? It is carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

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HIGHWAY 407 ACT, 1998

LOI DE 1998 SUR L'AUTOROUTE 407

Mr Sampson moved third reading of the following bill:

Bill 70, An Act to engage the private sector in improving transportation infrastructure, reducing traffic congestion, creating jobs, and stimulating economic

activity through the sale of Highway 407 / *Projet de loi 70, Loi visant à intéresser le secteur privé à améliorer l'infrastructure des transports, réduire la circulation engorgée, créer des emplois et stimuler l'activité économique par la vente de l'autoroute 407.*

Hon Rob Sampson (Minister without Portfolio [Privatization]): Before I begin my remarks, Mr Speaker, I should say that I believe we have unanimous consent of the House, and you may wish it so moved, that the time be shared equally amongst the recognized parties.

The Deputy Speaker (Mr Bert Johnson): Is there consent that the time be allotted equally among the three parties? It is agreed.

Hon Mr Sampson: I should also say that I'm prepared to entertain unanimous consent at the end of our allocated time, should there be any remaining, for the other two parties to share equally, but I'll leave that to one of the other two parties to move at the time. Should we have any spare time left on our clock, we're prepared to have that shared among the other parties.

I want to start off today's debate on this particular bill by doing a couple of things, if I can. By the way, I should alert the House, I'll be sharing my time with the Minister of Transportation.

As we speak to this bill, I think it's perhaps in order — and many of the people watching here today I suspect know of Highway 407. Perhaps they have a transponder, or they don't, and they've driven on it. Perhaps they drove on it when it was for free use for a period of time.

I think it's important for those who have not had a chance to experience the highway to get a good understanding as to why it was designed, why the current portions are constructed and why we believe it's a very important part of our infrastructure to get completed on its components, both east and west.

One of the better ways to understand why that highway is there and why we want to move ahead is to speak to that word "congestion." When we talk about highway congestion or traffic congestion, I suppose that's a technical word or a fancy word for what you and I might know as bumper-to-bumper traffic and for the frustration associated with a parking lot as opposed to a highway. I want to draw the attention of the Legislature and this House to the fact that this bumper-to-bumper traffic congestion, these parking lots on highways or what have you are actually the areas we're speaking to that the 407 will provide some relief for.

It's grown significantly since 1991, not too many years ago. At that time, five hours of a 12-hour business day — that would be from 7 am to 7 pm — were defined as congested. That's just five hours out of 12. I say "just," but if you bear with me for a few minutes you'll understand why I say "just." This number grew to seven hours out of a 12-hour business day by 1995. And just last year, according to MTO statistics, 10 hours out of a 12-hour business day are basically creating bumper-to-bumper congested traffic on highways 401 and 403. Anyone who has driven on the 403 section of our highway infrastructure, or the QEW especially around the Oakville

area, will know that maybe the 10 hours is even a bit too short.

Clearly, there is a tremendous need for some sort of expansion of our highway infrastructure here in the GTA. In fact, that was brought to our attention during the hearings that we had on this particular bill two or so weeks ago by the Greater Toronto Home Builders' Association, which summed up in their statement as follows: "Congestion is proving to be a deterrent to new investment" — this is in the words of the Toronto home builders' association — "as a dependable highway system is an essential element for many industries." Of course, the home builders' association, I would argue, would be quite well versed in what would provide good growth in construction jobs around the GTA, and they're saying Highway 407 will in fact help.

In previous debates in committee, after second reading, the question kept coming up, "If it's so important for the GTA, if it's so important for industrial and commercial growth, if it's so important for the province as a whole, then why are you selling it?" The answer to that is quite simple: It's because it's so important to the province, it's because it's so important in establishing a fair and efficient infrastructure, it's because it's so important in stimulating economic growth that we want to get this highway completed. We want to get it built in its western extensions to Burlington. We want to get it built in its eastern component, if at all possible, all the way out to Highway 115, which is its farthest east planned component.

We want to get it done, but we don't want to do that, if at all possible, on the backs of the taxpayers. We believe that if we were to partner with the private sector in an appropriate relationship, we could achieve the objectives of getting the highway completed, transferring the risks of operating and maintaining the highway — and they are sizeable, not only the construction risks but the risks of operating and maintaining the highway — over to the private sector, and do all of this without attaching a significant burden to the backs of the taxpayers. In fact, we believe we'll be able to repay the sizeable amount of debt that has been absorbed by the taxpayers simply in the construction of the central portion that is now operational.

After first reading, through second reading and again during the committee section of this process, the Canadian Automobile Association was quite adamant that we should delay this. In fact, they issued a press release saying: "Please delay the bill. Please delay the construction. Please delay the process. We need to think about this as to how it fits in with a much grander transportation system." But the completion of Highway 407 actually fulfils the transportation planning objective that was first laid out for this province in 1950. Since 1950, there has been a tremendous amount of work in trying to understand what the transportation requirements of this GTA will be as it grows and develops.

It's not as though this highway was born and conceived by this particular government. It's not as though it was born and conceived by the NDP government that was

before us. It has been in the planning phase, in the design phase, it's been part of an infrastructure concept since 1950. Frankly, for the CAA to say, "Please delay this," I think what they need to do is speak to the people in Halton region and the people in Burlington who desperately want this. If you listen to the representatives of those people who came before the committee to speak to the committee members — the mayors and the regional representatives — they are effectively saying on behalf of their representatives that they want this highway completed as soon as possible. That is exactly what we are attempting to do with the process we have put in place in regard to the sale of the highway.

Let me speak to another item that has come up and then I'll say a few more words. I've got to be careful of my time here so that my colleague has a chance to speak to the importance of this highway.

One of the members from the third party spoke very eloquently, as he is known to do, in committee and at second reading about the fact that — I think he actually pulled out a newspaper and read some bond yield tables and said, "Public financing is cheaper so you should keep the highway and finance it with public dollars," issuing more government debt to pay for it.

I suppose it's not surprising that we should have that statement come from a member of the third party. During the period of 1990 to 1995, that member and his colleagues became quite acquainted with the concept of public debt. They did that about 50 million times because that is the amount of debt they felt comfortable laying upon the shoulders of the taxpayers of this province. Your children and my children will have to pay those back.

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It's not surprising that he would be quite comfortable with the concept of public debt, but I find it quite confusing. He's saying now, "Finance this with public debt," but in 1995, in a press release, his then Premier said: "The 407 east is an ideal opportunity to have a new look at what it takes for the private sector to finance the highway. We'll ask the question again and look to the private sector to come up with creative solutions." It continues, "We are offering new opportunities for engineering, construction and financing firms to work together to deliver Ontario's key infrastructure faster and at a lower cost." If that was the view of his Premier in 1995, I say to the member across the floor from the third party, what has changed?

One of the members from the opposition, again in second reading debate and a little bit more forcefully in committee, raised the issue that this particular road infrastructure would be, as he said, exempt from property taxes as is currently contemplated by the bill before us today.

Our objective is to create a new business here in Ontario, a new business in the form of a private operator of a toll highway. Our concern in doing that is to get the road completed, to get economic activity going in this province, to create thousands of new jobs not only in the construction of the road itself and the maintenance of the

road as it goes forward but in the related businesses that will result from that road infrastructure. We're interested in jobs, we're interested in creating those jobs, we're interested in economic activity, we're interested in relieving congestion.

The first item that comes to the minds of members of the opposition is, "Can you tax it too?" That's not our first priority and that's not our priority in this particular road infrastructure. It's designed to be an efficient toll highway, a toll highway that will be operated by the private sector, a toll highway that will meet the infrastructure needs of this province, a toll highway that will create jobs in its construction phase and as economic activity is developed throughout the area.

Even the municipal representatives who came before the committee said: "Forget the tax thing. That's not even anywhere on our radar screen. We don't care. We want the highway constructed." In fact, one of the mayors of the cities to the west of here was quite annoyed while the member of the opposition at the committee was speaking about tax increases and saying: "Mayor, don't you want that property tax? Don't you think it should be taxed?" She said, "I want it built. It should have been built when you were in government," and it wasn't.

Our objective with this bill is very simple. We believe that a proper partnering with the private sector will get us what we need as it relates to 407. We'll get the road completed on time, within budget, by efficient operators, so that the area that is served by this highway can grow and prosper, so that jobs can be created in the area, very important job creation in the area, and so that Ontarians will have a chance to use this highway as a lever for the great and prosperous growth that this province and this area not only deserve but can indeed achieve.

I now yield the floor, if I can, to my colleague the Minister of Transportation.

Hon Tony Clement (Minister of Transportation): It's my honour and joy to join in the discussion, the debate regarding third reading of Minister Sampson's bill.

At the outset, I want to congratulate the honourable member for Mississauga West, Minister Sampson, for speaking this evening about some of the benefits of privatization, of this asset being in the hands of some business entrepreneurs who can then apply their considerable skills and creativity, no doubt, in making this highway longer and part of a road infrastructure which is better for less money to the taxpayer, which I think is a point that deserves repeating.

The proposal before this Legislature will have a profound impact on reducing potential debt accumulation by the taxpayers of Ontario. This highway is and always has been a user-pay highway. One of the upsides of what we are proposing is that we are in effect privatizing the debt, which is now a public debt. We are privatizing that to the private sector and they will have the ability to use their creativity to apply tolling levels and other inducements that will make this highway even more of a success than it is today.

I wanted to speak briefly about the overall benefits of the highway. Perhaps there is a potential buyer out there who is listening to our words tonight. I do harbour some hope that they would be convinced by the language of Minister Sampson and myself that this is a successful asset, a successful deal, even as we speak.

I'd like to describe at the outset the role of Highway 407 in the economy of the greater Toronto area, because you can't just look at it in isolation. It is interwoven with the economy of the GTA and indeed the economy of Ontario. There are some important features of this highway — safety features, electronic features as part of the intelligent transportation system that runs this highway — that I think make it a unique asset in the world for a potential buyer.

This unique toll road is definitely contributing to the economic success of Ontario. It is already an essential link in the province's transportation network.

Mr Gilles Bisson (Cochrane South): The NDP government did something right again. Imagine that.

Hon Mr Clement: The honourable member for Cochrane South is reminding me, as he is wont to do, that the NDP government that preceded the Mike Harris government was part of the decisions that made this highway a success, and I agree with him. Indeed, I think we can all take a little bit of credit for this highway's existence because it was some planners from 30 years ago who first started to dream the dream, started to realize that a highway north of Highway 401 was necessary to the economic success of southern Ontario.

It was in the late 1950s and early 1960s that the first plans, the first designs, were contemplated. Then, in the 1960s and 1970s, land accumulation for this highway started, and it was some of the great predecessors in the Ministry of Transportation, people like Jim Snow, who had the perspicacity in those days to move this highway along in terms of its design and its development. So we are all standing on the shoulders of our predecessors. If I can pay some tribute to the former government, I would also like to pay tribute to the governments before that government that started this highway and started the plans for this highway.

At the same time as this highway was planned, there has been a dramatic change in the number of drivers and the number of vehicles in Ontario. Over the last 20 years the number of registered drivers in Ontario has increased by 84% and in the past 20 years the number of registered vehicles has inclined by 72%.

We all know about Highway 401. Highway 401 is recognized as either the busiest or the second-busiest highway in North America and it reached its capacity long ago. I don't have to tell members of this House or the viewing public that there are days when Highway 401 is heavily congested, and that occurs even in good weather.

Interjection.

Hon Mr Clement: The honourable member for Scarborough Centre has reminded me that perhaps this was not something that occurred maybe four or five years ago as much, but because more people are working,

travelling to and from their jobs, this has become a sign of the times. When the economy is working, there is more traffic congestion. It behooves members of the government and members of this chamber to start planning for the future.

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Let me tell you this: There is a cost to congestion, not only the environmental cost of increased smog, but there's also an economic productivity cost. The lost productivity attributable to traffic congestion just in Metro Toronto has approached \$2 billion annually — \$2 billion in lost productivity for the province of Ontario. That's a direct impact on jobs and opportunity for taxpayers, for Ontarians.

It behooves us to be part of the solution. Highway 407 takes traffic off Highway 401, off Highway 7, off Steeles Avenue, and helps us reduce that congestion, helps us move those goods and commuters through the GTA.

As the GTA expands, particularly in the suburban areas, Highway 407 is going to be moving an increasing number of vehicles. To deal with this projected growth, the planned expansions of Highway 407 will see an additional roadway extension west by 24 kilometres and, in two phases, 61 kilometres to the east, to carry traffic even farther, to make it a true Toronto bypass, if that is what the commuter wants, but of course to move the traffic and the goods more quickly to their destination points through the GTA and towards Niagara or towards eastern Ontario.

I can report to this House that more and more drivers are discovering the benefits of Highway 407. Traffic has increased this year. Some members of this House might recall — I'm sure the member for St Catharines, who remembers these things with great accuracy, will recall — that my first day on the job as Minister of Transportation was the first day of tolling on the highway. What a trial by fire that was.

Mr James J. Bradley (St Catharines): It was symbolic.

Hon Mr Clement: It was symbolic of success of the highway; I agree with the member for St Catharines.

On that day, there were 85,000 drivers, 85,000 cars. I proclaimed it a great success, and I actually believed it was a great success, because most of the traffic estimates suggested we'd start off at around 50,000 vehicles per day. On the first day there were 85,000 cars. I can tell the honourable members of this House that we are averaging well over 210,000 cars per weekday on this highway, to date.

Mr Gerry Phillips (Scarborough-Agincourt): Why don't you release the numbers, Tony?

Hon Mr Clement: The honourable member wants us to release numbers. The traffic numbers are on the Web site. You can access it by www.gov.on.ca/mto. We would love to share those numbers with the taxpayers of Ontario. I think it shows a story, that this highway has been accepted by the population — not by everybody; this is not a highway that necessarily helps everybody in their commute. But it does help a substantial portion: 210,000

cars a day cannot be wrong. Indeed, our peak days are upwards of around 250,000 cars a day. So the success is there.

Highway 407 is one of the newest highways, but it is also one of the best-designed highways in the world, one of the best-engineered highways in the world and one of the safest highways in the world. There was a lot of discussion in this chamber two years ago, I remember, about the safety factors. I'm pleased to report that according to the latest safety statistics we have for this highway, this highway is three times as safe as most other 400 series highways. We are trying to find out, is it the engineering, is there something else about the highway that makes it that much safer? Because we'd like to learn from this highway and apply it to other highways, if indeed that helps. But I can tell you this: This highway has high-mass lighting; it has fully paved shoulders, with rumble strips and additional guide-rails and barrier systems. These are just some of the features that make the 407 a safe and enjoyable ride and drive for both private and commercial users.

I want to say this to the House, although we are in the process, should this bill pass, of privatizing the highway, the province still intends to play an active role in ensuring that the highway meets safety standards and remains accessible to each and every traveller. This means that the highway will continue to be policed by the OPP and that motorists are expected to adhere to the same rules that apply to every other road.

The 407's state-of-the-art technology is a major contributor to that safety and convenience of which I spoke. The electronic devices at the entry and exit parts of the highway record the passage of every single vehicle, enabling the operators of the highway to send a bill to every person who uses the highway. This means we don't have to stop the traffic to collect the toll fees. Time is money, not only for our commercial vehicle traffic but of course to our commuters, who perhaps want to get home to their family, to their spouse and to their children, 10 minutes earlier or half an hour earlier. This is a highway that improves the quality of life for the citizens within the GTA. That's what it's all about. We can talk about the dollars and cents, and Minister Sampson has done a good job on that, but this is about quality of life. This is a highway that brings people together sooner — back to their homes, back to their families. That's something that around this holiday season gives me a warm feeling. I hope other members of the House can share in that warm feeling as well.

Highway 407 is a valuable asset. It was designed for safety, it is efficient to operate and it has a long service life expectancy. This highway electronic tolling system has proven to be safe and convenient for drivers — 200,000 trips a day and growing is proof of that success, to which I spoke. The extension of the highway provides an opportunity for enhanced operating efficiencies and further revenue growth. I think we on this side of the House are all proud — and I hope other members can join in this pride — that Highway 407 is a success. With that

private sector involvement, should this bill pass, the future success of the highway will be guaranteed: There will be extensions on the highway, paid for not by taxpayer dollars but by the private sector, which has the wherewithal to do so.

Anyone who is watching tonight and who wishes to participate in what is truly an excellent asset need only contact Minister Sampson, and I'm sure he will give you all the information you require to make a reasoned judgment. I want to say, as Minister of Transportation, that safety and access will continue to be part of this highway's success. I believe we are finally finding the right balance of government interest in safety with private sector interest in creativity and efficiency, that are going to bode well for not only this highway but for future road projects as well. I thank you for your time.

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The Deputy Speaker: Further debate?

Mr Richard Patten (Ottawa Centre): First, may I ask for unanimous consent for the remainder of the time to be divided between the New Democratic Party and ourselves?

The Deputy Speaker: Is it agreed that the remaining time will be split between the — it is agreed.

Mr Patten: Thank you, Mr Speaker. I would like to notify you that I'll be sharing my time with the member for Scarborough-Agincourt, the member for Yorkview and, if there is time, the member for Renfrew North.

It's a pleasure for me to speak again on this bill. We're now at third reading, and I addressed a number of concerns we on this side of the House had at that particular time. Of course there have been committee hearings and also some clause-by-clause during which a number of amendments were made by members of our party, and I'd like to address some of those as well.

After two days of committee hearings, which included the clause-by-clause, my colleague Mr Cordiano, who is our transportation critic, put forth what we thought were some very important motions. I would like to address a couple of these motions in my comments this evening, but first I want to reiterate that the Liberal caucus is not opposed in principle to the sale of 407. The member chuckles over there. He would like to see the opposition simply endorse everything the government proposes without any kind of critique.

We believe in public-private partnerships in certain circumstances, and we also believe in government getting out of things it can't do well or that can best be done by somebody else. That principle is often not followed by big governments, as we can see all around us throughout governments in Canada, including the history of the federal government.

We do, however, believe that there are a few glitches in this legislation, and I would like to comment on that. We continue to be concerned about the openness of the process of this sale. The legislation does not really address this. A fair and open competitive transaction is not currently guaranteed and I suspect will not be guaranteed

by the time the legislation is finally passed. The process is more one of the behind-closed-doors variety.

This point was brought up at second reading, where members on both sides of the opposition talked about the need for a fair, open and transparent process. It was also brought up again at the committee hearings, where the minister tabled an overview of the project's scope, the bidding process, the evaluation criteria proposed to be used to select a buyer, but the question remains, does this go far enough?

The minister said there will be three layers of professional advisers handling the process, but when we get into the doing of the deed, the government has not always followed what it said it would do in addressing comments during the legislative process, so it's no wonder that we would ask for strengthening and further clarity related to this.

We're also concerned that the Ontario taxpayers get the best value for the sale. That is why my colleague has proposed that the minister not transfer the highway until the Provincial Auditor has reviewed the terms of the transfer and is satisfied that what is being transferred truly represents fair value. We consider this to be a fair request. After all, the initiative is costing and will continue to cost taxpayer dollars, despite the minister's assertions about no cost to taxpayers. Of course there are costs, ongoing costs to taxpayers.

It would seem to me that any good manager at the front end of a project — we should get consideration from our own auditor of the Legislature, because what's the point of going ahead and then having to face criticism from him later on? It seems to me to be not only a wise but a prudent step in the process.

I'd like to quote David Leonhardt, the chair of the Canadian Automobile Association Ontario. As the members will know, he spoke at the committee hearing on November 19. In his opening remarks, he said:

"We think it's rather strange that one would ask motorists, whether they be commercial vehicles or private vehicles, to absorb the cost of travelling on the highway by paying the toll, yet at the same time financing that very same road they're driving on through their tax dollars. That's absolutely ridiculous and it's not an effective use of taxpayers' money."

Of course the bill heretofore, we suspect in its final phase, will extend tolls into perpetuity, and again there are many questions raised by this. This has got to be a windfall to the successful bidder. I can imagine the Pavlov dynamic occurring with many potential bidders out there at the moment. Again the CAA, the Canadian Automobile Association Ontario, has stated that this extension of tolls breaks the government's promise that tolls would be lifted when Highway 407's construction costs are paid, or even if they're paid, "for a reasonable profit for a reasonable time following that accomplishment."

CAA made it very clear that their members have shown in surveys that they oppose tolls, "but if tolls are applied, they accept them only to pay for construction, to be removed immediately when construction costs are paid."

In addition to this, concerns were also expressed during the committee hearings that there are no guarantees of completion of the west and east extensions in a timely way. I will remind everyone, once this project gets going, to remember that. Both ministers have commented and said with total clarity that there's no question that the extensions will be part of this overall arrangement. We will see that. The Minister of Transportation quoted a municipal mayor, and I would like to quote the chair of a regional municipality. It relates to the extension of the 407 to the QEW in the west end and ultimately to Highways 35 and 115 in the east, that that should be undertaken as soon as possible, as we have heard from those communities on the extremities that are desperate to have it completed. Roger Anderson, the chair of the regional municipality of Durham, said at the committee hearings on November 19:

"We are concerned, however, that Bill 70 as it currently reads does not provide sufficient guarantees for the partial and full extensions of Highway 407...."

"Specifically, subsection 36(1) states, 'The owner shall expand and extend Highway 407 in accordance with the terms and conditions set out in an agreement to be entered into between the owner and the minister for privatization.'"

That provides a tremendous amount of latitude for what the terms may be, and if that's to be negotiated, one must assume that the bidder will be negotiating to extend this time as far out as possible, and who knows what role that particular factor will have in negotiations? Therefore, there is justification for persons like the regional chair, Roger Anderson, to be concerned about this not being nailed down as closely as it might otherwise be.

I want to go back again, as I did at second reading, to quote from the Ontario privatization framework. I come back to this because I think it's extremely important, and in a sense this is the job description for the minister of privatization. I'm sure that before he goes to bed each evening he reads this mission statement and that this provides focus for him no matter what he faces as he addresses the world in his portfolio.

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The Harris government first appointed this minister "to identify where greater involvement by the private sector could help improve services and value to taxpayers" — I repeat, to improve services and improve value to the taxpayers — "while enabling the provincial government to concentrate on core responsibilities such as health care, education, and to encourage a climate for job creation."

I'm glad to see there is that ongoing commitment. We find there is money taken out of the operations of health care and education, and the job creation figures are still lagging behind the estimates this government had for itself.

Without inclusion of the Liberal motions that were made, I don't know how the minister can ensure that the sale of Highway 407 will improve service and value to taxpayers. The buyer has no restrictions on what can be charged for the use of the service. When I and my

colleagues raise this question, we're told that the marketplace will take care of itself.

There is that risk that potential users may not be able to afford the service. We know that is true from other examples of toll roads. We don't see why this one is any different, this despite the fact that the all-electronic tolling system already has cost approximately \$70 million, and of course that was paid for by the taxpayers, and the fixed construction price was \$930 million, for a total cost of \$1 billion, which is a fair amount of money. We need to ask, is this — and presumably it is — part of what is being bought and included in the sale?

Further, the buyer/lessee will be exempt from property tax. This debate has been going on. The minister kind of snickers at this, why there should be property tax, as if somehow this has never been considered in any other areas. We know, of course, that Ontario Hydro pays taxes in lieu and so do railway companies in certain instances, and we know that goes on in many jurisdictions south of the border. So it's not a novel idea, it's not a new idea. When you look at having a private business that presumably is there for one reason, and that's to do a job, to make a profit, the forgone taxes are in the neighbourhood of about \$90 million a year which could be going to help municipalities in one way or another.

Surely this is against the intent of the privacy review framework, that there are considerable elements where lost opportunities are present and where behind-the-scenes costs are still related to this particular project.

I would like to also say that I suppose everyone feels the need, and no one has disagreed, with making sure that this must be finished as soon as possible. We hope the process will be totally open and accountable. The successful bidder should pay taxes like any other business. Tolls must be affordable to commuters and, I would point out, occasional users as well as businesses transporting goods and services between the corridors.

I provided a letter to the Minister of Transportation at one point from a constituent of mine who had used the highway and didn't know what he was required to pay. He ended up paying \$8.76. A bill was sent to his house for \$8.76. He wondered, "What the heck is this?" Here's somebody who lives in Ottawa and is using the highway maybe once a year. He certainly won't use it again. He gets transponder charges and an account fee in his bill, and this guy doesn't live in the area. So there's a glitch that hopefully is being worked on at this particular point, which shows that there's a degree of —

Mr Bisson: On a point of order, Mr Speaker: I believe we don't have a quorum, if you can check.

The Speaker (Hon Chris Stockwell): Check for a quorum, please.

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Speaker: The member for Ottawa Centre.

Mr Patten: I'll wind up at this point to allow time for my colleagues to join in the debate, except to say that we

hope that at the end of the day this will be a positive project for all concerned, especially for the taxpayers and the users, who hopefully will get better service and better value.

Mr Phillips: To continue the debate on Bill 70, to privatize the 407, let me just talk about the things I don't think there's too much question about. It is absolutely essential that the 407 gets completed. It's important to the residents, important to industry. We need it done and there's no question of that. We have no difficulty with toll roads. It's one way of funding projects. The taxpayer, instead of paying taxes, pays a fee to use the road. It's a different way of funding services, it's user-pay, and I have no difficulty with that. We have no difficulty with the private sector financing and building this road, and the sooner and the faster they get it done, the better.

Now, what is the problem with this bill? First, there is no assurance that this road won't be sold off in perpetuity. As a matter of fact, my suspicion is that the government would love to do that. They will have a fire sale on this thing and maximize the immediate revenue they get from it.

I would just say to the people of Ontario that the thought of selling off the 407 forever is, in my opinion, crazy. It would be like a government 30 years ago selling the 401 off forever. It would have been nuts. That's what this bill allows. If that were to happen, the people of Ontario will have been done a major disservice. The reason I suspect it may very well happen is because if you want to get the biggest dollar — and this thing will sell. There will be many bidders on this thing. This is one of the hottest potatoes around right now. There is no shortage of people who want to get in on this deal. We all know it's going to be crowded up along the 407. There is great future potential. There is going to be traffic on this thing. The company that buys it can set their own tolls. This thing is a guaranteed money-maker. The way the government will get the maximum amount of money out of it is to sell it in perpetuity. If the minister would say that's not going to happen, then that would be a step forward in this bill, but they refuse to do that.

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The second thing is that the tender will not be public. My understanding is that the request for proposal will not be a public document. I don't think that's right. I don't know why this would be a private document that is not available to the public, why it would only be available to those who want to tender on it, and at some considerable price. I'd like to know the basis on which we are tendering this. I'd like to know the basis on which this request for proposal is going out.

The minister said that the CAA wanted to delay this. They never said that; what they said that was the way this bill is written allows for tolls in perpetuity. That wasn't the original proposal on the 407. I'm not sure that's in the best interests of the residents along there. Make no mistake, right now it is a highway that's relatively low in traffic. If I'm in a hurry, I'll use it; I'll spend that money to use it. But it will get busier and busier and busier. As I

say, make no mistake about it, there will be absolutely no shortage of bidders on this thing.

The bill says, "The minister for privatization may enter into any agreement that he or she considers necessary or expedient for carrying out the purposes of this act." It gives the minister unfettered — "may enter into any agreement." My colleague mentioned, "Why not make it conditional upon the Provincial Auditor examining the deal?" No, it's going to be, "The minister for privatization may enter into any agreement," and:

"Without limiting his or her powers...the minister for privatization may

"(a) determine the assets to be transferred;

"(b) determine the consideration to be paid for the assets;

"(c) establish terms and conditions relating to the management of 407" etc.

It's literally unfettered power in the hands of the minister. Here we have one of the most important assets, one of the most important infrastructures in Ontario, Highway 407, essentially being dealt with behind closed doors.

So I say to the people of Ontario: What's not in dispute is that 407 has to be completed. It's an important piece of infrastructure. Tolls are a way that we can fund the completion of it. The private sector should be involved in building the road and in financing the road. None of that is in dispute.

What is in dispute is how much money Mike Harris wants to sell this thing for in the short term. We heard debates earlier, "This is a good time to sell it because the Canadian dollar is low, so let's maximize the dollars." I understand all of that, but the people of Ontario want a long view of this taken as well. They don't want to find 20 years from now that this road continues to be out of their hands, that it is a cash cow for someone, primarily because they have to use it and they're stuck using it.

I want to make clear the things that we are supportive of and the things that we are concerned about. I tell you, in my judgment, the people of Ontario may very well look back 20 years from now and say, "Why in the world did you ever agree to that particular bill?"

In closing, giving my colleagues time to comment further on 407, those are the significant issues of concern around 407 from our party's point of view.

Mr Mario Sergio (Yorkview): I'm delighted to join the debate on the sale, if you will, or privatization, as we should be calling it, of Highway 407. Highway 407, as we all know, was built with taxpayers' dollars. It was supposed to have been built with private funds and then turned over to the private sector. It was never meant to be sold, to be privatized, once it was built with taxpayers' dollars.

I attended the hearings on Bill 70, the 407 privatization bill. If I'm not wrong, we had just one day of hearings. The minister is here. Can you believe we had one day of hearings on the sale, on the privatization of one of the most important assets, \$1.5 billion of taxpayers' money? Now we are going to sell it.

Who did we listen to during those few hours? We say one day of hearings, but it only meant a few hours. We heard mostly from those people who have been affected by the lack of good transportation, the lack of highways. Yes, from Mississauga, from Halton, from the mayor of Oakville, I believe, if I remember well, the chair of Halton region, a representative of the mayor of Markham, and others as well.

I was there and I have to say to the minister here present tonight in the House that at no time did I hear from those representatives that they had no interest in the people's interest, which was tax dollars, which means taxes, assessment. At no time did any of them say that. They said, contrary to what the minister has been saying, "Forget the money, forget the taxes, forget the assessment; we want the highway built now." Of course, their traffic —

Hon Mr Sampson: That's what they said.

Mr Sergio: No, sir, they didn't say that. What did they say? I'm willing to challenge the minister if he's willing to listen. What did they say? "We want the highway built now. We didn't come here to talk about assessment, about taxes." Of course, they all spoke about their own regional, in-my-backyard interests, and who can blame them? The traffic is choking those communities.

They didn't come to oppose the privatization of 407. They didn't come to oppose the sale of 407. They came to beg this government to build it. "We don't give a darn about the assessment."

But, in general, we have to be concerned about taxpayers' money. I wish I had the time go to through the entire bill, and I'm not really sure if the minister did go through the entire bill. If he did, then he should present the true facts publicly to the House and to the taxpayers of Ontario.

Just let me read you a couple of clauses from this bill.

Hon Mr Sampson: On a point of order, Mr Speaker: The member has just said that I have not stated true facts. Could I have a ruling as to whether that's in order?

Interjections.

The Speaker: Hold it. "True facts." "State the true facts." I suppose if it's a fact, it's supposed to be true. I would just caution the member for Yorkview, let's watch our language.

Mr Sergio: I have no problem with that, Mr Speaker. But my true facts are that the deputants were saying at the hearing: "We are not here to debate the tax issues. We want the highway because we have a traffic mess over here."

Let me quote some of the things from the bill. I want to bring to the attention of the minister and the House, on page 5 of the bill:

"5(1) Without limiting his or her powers under sections 2 or 3, the minister for privatization may,

"(a) determine the assets to be transferred;

"(b) determine the consideration to be paid for the assets;

"(c) establish terms and conditions relating to the management of Highway 407," and it goes on and on.

It says nothing in this bill with respect to a transparent, public process, which means if the 407 is going to be sold, it's going to be done behind closed doors. We have no conditions by which to check it out. The public has no possibility of seeing the cost the 407 is to be sold for.

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Furthermore, it's scary, the powers that the government and the minister are going to transfer to this private entity, to this private corporation. I want to bring to the attention of the House another part of the bill, on page 7, which says:

"14(1) Subject to subsection (2) the owner may,

"(a) establish, collect and enforce payment of tolls with respect to the operation of any vehicle or class of vehicles on Highway 407;

"(b) establish, collect and enforce administration fees based on such criteria as the owner considers appropriate, and fees to commence or appeal any dispute proceedings."

Isn't that nice? It continues:

"(c) establish interest rates" — can you imagine? — "to be charged on unpaid tolls and fees, and collect interest charged at those rates;

"(e) establish terms and conditions for the registration, distribution and validation of toll devices.

"(f) require security for the provision of any toll devices; and

"(g) determine the methods of payment of tolls, fees and interest."

This is only a little sample of what the bill does, of the power that the minister is willing to transfer to a private entity, to a private owner. The true fact of why they want to sell the highway — do you know what it is? — is they've got to come up with \$6 billion, which they don't have yet, so they need the money. They want to balance the books by the year 2000-01, so they need the money.

If it wasn't for the disinterest of this government with respect to the interests of the Ontario taxpayer, they could have built four 407s for the cost of the 30% tax cut and given those people in the abutting municipalities — the sprawling communities, Durham, York, Mississauga, which are really bursting at the seams with construction and stuff like that — much-needed relief from traffic congestion. This is the real issue here.

It also goes on to say somewhere in the bill that they should have that flexibility not accorded in the same way to the provincial highways. What else are we doing here? If the government was so sincere, so open, they would say: "This is what we are willing to do. We're going to find the price of 407 if we want to sell it. We're going to do it very transparently, we're going to do it very publicly, and then we'll let you decide." No, there is absolutely nothing in this bill relating to the process under which the government or the minister intends to sell the rights to Highway 407. Why not? Once it becomes a private entity, why shouldn't they pay taxes on the 407?

The other scary thing is that we will have no control on the fees that they will be charging Ontario motorists, and do you know what some of those people have said — for the benefit of the minister in the House? They didn't have

a particular direct interest with respect to a municipality, but they went over there and said: "Look, I have already paid and I'm continuing to pay for this highway here, and now you're going to sell it and let those people charge me twice? We don't think it's fair." Those were the real people, without the interest of saying: "You know what? We need the highway and we don't care about the rest." No, the other people were saying, "We care about our tax dollar," and we should be listening to those people.

I'm asking the minister, why didn't you give us a week of hearings so we could go openly to the public and hear everyone? I don't have to tell you of the letters that we had against the privatization or against the bill as it was introduced. For example, the minister may be aware of this, I'm not sure, but the people who came and made a presentation with respect to, "Build the highway and we don't care about the tax dollars," what were they asking? "We want certain things; we want to make sure that the highway, where it abuts our local municipality, is built in a certain way," and rightly so. You might say it's like NIMBY, not in my backyard. No, I think what they were saying is, "If you're going to build a highway, and yes, we want it, we want to have a say in how you're going to build ramps, how you're going to build the landscaping, how you're going to be doing sound abatement and stuff like that." There is no provision contained in the bill, and I believe that we should be giving those municipalities the possibility —

Mr Frank Klees (York-Mackenzie): You want the landscape plan as legislation?

Mr Sergio: Yes, absolutely, of course. They will want the landscaping plan as well. It's part of that.

Interjection.

Mr Sergio: Oh, yes, let's get over — let's sell it and say, "Okay, we sold it, it's a done deal." I am not so sure when I hear members of the government say, "Let's go, let's go." Who knows? They may already have on the books a couple of wonderful prospective purchasers, but what we are saying to the government is you may have, but we'd like to know. Let us know and let the public know the conditions of this sale. That's what we'd like to know. Sure, you may have some prospective purchasers. Wonderful. OK. What is the sale price of Highway 407? What are they willing to pay? What are the conditions? I believe that we are entitled to know.

For example, this is going to be a private highway, and we will have no control on tolling, on maintenance, on police access and public safety.

Interjection.

Mr Sergio: With all due respect, Mr Minister, if it's in the back in the legislation and I did miss it, let it be there. You can point that out when you finish that. But let me say that this is what you are giving away. This is what the government is giving away. If it isn't, when you have your last chance say, "Hey, look on page 56," whatever, and tell me, because I can't find it.

We are exempting the operator, the owners, from any planning approval. We are exempting them from any municipal bylaws approval, from any tax assessment and

any other matter similar to provincial highways. What is there left that we are not giving? Oh, yes, of course; it's got to be the price of Highway 407.

I hope, if your government intends to proceed with the sale, that you will keep in mind — I'm sure you will — the interests of the taxpayers of Ontario, that you will not undersell the rights of Ontario taxpayers, that we will know the price of Highway 407 and that you will do it keeping in mind that this was paid for with taxpayers' money. I don't think that is too much to ask.

Yes, as you said, it's helping to speed up some of the traffic, but if Highway 407 was built with the intent to speed up traffic, I'm sure you would have come up with some other implementing conditions to allow the people of Ontario to use it, not with the same impositions. I don't have to tell you what the weekend specials are. If you buy the newspapers, you see all kinds of specials, free miles and this and that. I'm sure you could have come up with something, and you know what? When Highway 407 is sold, they will be doing exactly that.

I have a couple of other points, but I know some other colleagues of mine would like to have a few minutes to dwell on the same issue, because I believe it's affecting —

Interjection.

Mr Sergio: Yes, my colleague from Renfrew North wants to have a say on that. It's an issue that is dear to many people.

I will conclude, Mr Speaker, by thanking you for the time that you have allowed me. I will allow my colleague to spend more time on it.

2040

Mr Sean G. Conway (Renfrew North): I don't profess to have the expertise on this bill that others do, except I was interested to receive the material from the Canadian Automobile Association, I think today, an open letter that strongly argued for members to vote against this bill, for a number of reasons but mostly because of the toll capacity the legislation provides to the new owner.

The CAA, representing 1.7 million members, observes that when this whole project began, the commitment was made to the motoring public in Ontario that the tolls would be collected only as long as there were construction costs. Now we find out, under the provisions of Bill 70, as I understand it and certainly as the CAA understands it, that the original commitment made by government here in Ontario to the motoring public is not going to be maintained — in fact it's going to be shamelessly broken — and we're going to be paying tolls for a long time, forever apparently. I think that's a very valid concern that the CAA makes and wants reflected in the debate and in the decision.

As well, the CAA makes the point that governments are collecting very substantial revenues from not only the gasoline tax, but from registration taxes and fees. In fact, my friend Phillips, the shadow chancellor of the exchequer, points out that if you take for 1998 purposes the Ontario government numbers, the revenues to the Ontario government in the current fiscal year, it's expected that Her Majesty's Ontario government will

collect about \$2.045 billion in gasoline tax, we're going to take in another \$600 million in fuel tax, and we're going to take in \$915 million in vehicle and driver registration fees. For the year 1998, that totals \$3.5 billion in revenue.

It was 40 years ago that the late, great John P. Roberts, as the chairman of the select committee on highway financing in the province, recommended a policy that we've basically carried forward for 40 years, namely, that we will pay the vast majority of the costs associated with building and maintaining highways in this province from revenues collected through the gas tax and other fees.

I say this at a time when the government has shed, in my part of the province, over 30% of the provincial highway network. So what do we see? At the very time that the government of Ontario is shedding thousands of kilometres of its provincial highway system and downloading the operating costs to municipalities, at a time when government revenues are very robust, what do we have? We've got Her Majesty's government keeping all the money, all \$3.5 billion of gas tax and fuel tax and motor vehicle registration fees, and privatizing a very major new freeway arching from that great community of Mississauga eastward to Newcastle —

Hon Mr Sampson: Burlington, actually.

Mr Conway: — Burlington eastward to Newcastle, and giving the private company or consortium almost unfettered right to collect tolls.

I simply point out, as my friend Phillips I think opined in his observation, under section 16.6 of Bill 70, does the consortium, does the private operator, have real powers to extract toll revenues from recalcitrant drivers? Pay up, according to section 16.6 of Bill 70, or Her Majesty's registrar of motor vehicle licences won't give you your licence. There are lots of private businesses in the Dominion that would like to have that kind of regal clout when it comes to collecting bills.

But I guess the CAA makes a very good point. What's going on here? How is it that we're giving to a private consortium such unfettered opportunities for a long period of time? I would like the minister, with his radioactive Christmas tie, to take the opportunity tonight to clarify whether or not the sale contemplated under Bill 70 is for a short time, an intermediate time or forever.

Hon Mr Sampson: This is radioactive.

Mr Conway: Yours is radioactive. But the question, I say to my friend from Mississauga, is an important one. Can you clarify before we conclude this part of the debate tonight, do you plan, under Bill 70, to sell this very substantial asset, and as Phillips says, a cash cow into the future? Even the imperial family in China 100 years ago sold or leased Hong Kong but for 99 years.

Hon Mr Sampson: Right. So are we.

Mr Conway: Well, that's helpful. I would like to know before I conclude the debate tonight. You should do so with clarity and with some additional frequency. But the CAA is right to say that the travelling public in this province, particularly in southern Ontario, is having its pockets picked —

The Speaker: Further debate?

Mr Conway: — taxes maintained and new taxes —

The Speaker: Thank you, member for Renfrew North.

Mr Conway: — enhanced by Bill 70.

Mr Rosario Marchese (Fort York): I would like unanimous consent to divide my time with the member for Cochrane South. Not required?

The Speaker: You don't need consent.

Mr Marchese: Very good.

The Speaker: Go right ahead.

Mr Marchese: It's my pleasure to have this opportunity to speak to this bill. I like the member for Mississauga West and I feel sorry for him because he's been trying for a heck of a long time to privatize a whole lot of things and, sadly, he's not been too successful.

They tried with the LCBO and they were stymied in that regard. They did their best — Speaker, you will remember — with TVO. They had meetings across Ontario on the whole issue of privatization. They held lots of discussions with a whole lot of people. They were hoping that these discussions would lead this minister to be able to earn his pay as the minister for privatization. But the general public decided they didn't want to sell off TVO completely, so they restructured TVO somewhat, but were not able completely to privatize it in the way he would like.

The poor minister of privatization is hanging around there, doing something, trying to get rid of something to the private sector and he hasn't been able to deliver to his buddies, the ones who grease the Tory wheels. Oh, but they do. You know that they do. I've got to tell you, I don't get many donations from the big wheels. I wish I did. I've got all the banks in my riding, honest to God. I get all the banks in my riding, all the insurance companies — wealthy people — and I wish I could get a chunk of those dollars. Why is it that the Tories get it all? I know why they get it all. Because they grease those Tory wheels really well. I'd like them to grease my wheels every now and then too with a bit of pepper and a bit of pecunia. I don't get any.

Interjections.

The Speaker: OK, knock it off.

Mr Marchese: Speaker, are you addressing somebody in particular?

The Speaker: Yes.

Mr Marchese: When they can't privatize something completely, they attempt to do it incrementally, as they're doing it in health. They will never, of course, tell you that they're doing this because the public generally doesn't support it, as they didn't with TVO. When they discovered, through their polling, that to privatize TVO was not a good thing, they stopped, although they restructured it, which in my view is the beginning of the end for TVO because eventually they'll privatize it.

Hon Mr Sampson: You were there and you got a hat.

The Speaker: Member for Mississauga West.

Mr Marchese: Speaker, that OK. We're having a chat. They're chatting with me. I like that. I remember when you were more or less approximately here. You liked the same engagement. So do I. Give them some free

reign. You're doing fine, member for Mississauga West. I was there at the TVO announcement, quite true.

Hon Mr Sampson: You got a hat.

Mr Marchese: I didn't get — oh, that hat. You're quite right. I thought you were talking about when you made the announcement to break TVO into several distinct parts. I understand where you're going now. I got a hat and I owe that hat to the minister for privatization. I give him credit for that.

When you can't privatize something completely, how do you do it? Imperceptibly and incrementally, because this way, if people are not able to see it because you're not going to whack them all at once — you do it gently and slowly — they say, "It hurts a little bit but the system is still in place so we don't feel too bad." They're doing it in health as well and we see it with Riverdale, with those seniors nearing that age and needing what often is required of chronic care, home care, long-term nursing care. I'll tell you, they've got to worry about their pennies and they'd better have a credit card. That's because long-term care is not just hospital care by another name. Patients who move out of institutions like Riverdale end up in private facilities. That means moving from medicare to partially insured care. It means moving from public hospitals, which are subject to the standards of accessibility and universality in the health act, to institutions that are for the most part outside of medicare. That's what I mean about how you move incrementally to privatize something when you can't privatize something all at once.

With Bill 70, this government is giving away a public asset.

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Mr Bart Maves (Niagara Falls): Giving?

Mr Marchese: Selling, giving. For a good price anything can be sold obviously, but you're selling, giving — it's the same thing.

Ms Marilyn Mushinski (Scarborough-Ellesmere): No difference to you, is there?

Mr Frank Sheehan (Lincoln): Socialists make no distinction.

Mr Marchese: I'm sure you fine people are going to sell it for a whole heap of money, and the taxpayer is going to benefit in perpetuity with those dollars that you will get — but I doubt it very much. You fine people are about to sell a public asset that belongs to us, should belong to the public, and once you sell it off, it is no longer ours but belongs to some of the friends that Mississauga West has been meeting over the last year, I would think, or possibly two.

Interjections.

Mr Marchese: Not directly friends. I mean corporate friends, member for Mississauga West.

Ms Mushinski: They're all your constituents.

Mr Marchese: Generalizing. Some banks are in my constituency, but these types, I'm not sure they live in my area actually. The ones who are going to buy Highway 407 for a good price I suspect don't live in my area. I suspect some of these boys live in Mississauga West, east, north, more or less somewhere out there.

Mr Wayne Wettlaufer (Kitchener): I live in your area. Maybe they live in my building.

Mr Marchese: I believe that to be true. This is true. But I tell you, the public should worry about this deal. You are being sold a fine deal here. I suggest to you, the public, that you had better have some meetings with your members to ask them some serious questions about why they want to sell this off.

The Minister of Transportation said: "This toll road is contributing to the success," I believe he said, "of this province."

Hon Mr Sampson: Yes.

Mr Marchese: The minister for privatization agrees.

So I say if this road owned by us is doing so well for this province, why would you want to sell it? I don't get it, because I believe that if it's doing a job, having had a government and private sector venture, which was the venture we got involved in as New Democrats, that should continue as a good practice. I would imagine it was something that you supported, and if you think it's working and it has been successful for this province, you should continue with that practice.

It tells me that something is wrong when you can say on the one hand that this toll road has contributed to the success of this province and on the other hand say that we've got to sell it. Unlike others, I do not in principle support the selling off of our public assets in this way. It is wrong in principle, fundamentally wrong, and I do not support what you are doing.

I think you will have to account to the general public, as I'm sure you will. It is our job to make these things open to the public, our job to say to the public that we believe the public-private venture was a good thing and we believe that if there were some mistakes that you were able to observe or detect, you should build on that, not do the opposite and sell it all off. You're going to privatize this road and all the assets that go along with it. We actually are telling you that when the purchaser sets the levels of the tolls and when the purchaser eventually has this road paid off, those tolls will continue. I have no doubt in my mind that they will continue in perpetuity. They will.

What you, the general public, has to ask the minister of privatization and his other buddies is: "Is that so? Is it true? If it isn't true, what can you do, Minister, and you, Premier, to make certain that doesn't happen?" I think it's the job of the public to get involved in understanding the very nature of these bills, because if you are not fighting this particular government as it does its deals behind closed doors, then we will not be successful in overturning or overthrowing this government without the power you give us. The power you give us permits us to be able to defend the public interest, but more important, when you show your own power, you will force governments to change their minds as they have done on many other issues.

It is a matter of urgency, of public education and of politicization of the general public that will force us all to be accountable. We cannot be accountable to you, the

public, in any other way. We are made accountable when you are involved in the political process. We can't make these people accountable on our own, we certainly don't make them accountable through the debates, but when you listen to the debates of this House and they interest you enough to get hold of the bill, this particular bill in this instance and, through that, ask the tough questions, it will force this government to listen to what you have to say.

At the moment, they don't have to listen. They listened to you when we were talking about TVO. Why? Because you've indicated to them, at least through polling and through the countless meetings they had, that you disapproved and disagreed with the selling off of TVO, they listened to that. Why did they do that? Because you were political enough to say to them that if they did this, the political effects of that decision would hurt them.

They have not yet created a two-tiered educational system because you spoken out loud and clear. They have not yet created a two-tiered health care system because they know that you disagree, you the good public who watches these programs, with a two-tiered health care system. That's why they have not moved as fast as they would have liked, and they do it imperceptibly so that you cannot see it, except from time to time when you go to pay a fee and you realize that something has changed and you realize in that small way that something is up, and when you suddenly have to pay a prescription fee, you say, "My God, when did this happen?" It happened under the Tories.

Could things get worse than this? They do get worse because they accumulate, but your knowledge needs to accumulate as fast as they're whacking you with a whole lot of user fees, and they're going to whack you good with these tolls. These roads, I tell you, eventually will become congested because there's a reliance on this car. Sadly, I say we are all to be criticized for this. When these roads become congested they will have a need to get to the 407, and when they get there, your friends the purchaser, the private sector, is going to enjoy that a great deal. He's going to love to see those roads full because he's going to have the power to set those tolls, and those tolls will be paid forever and ever into eternity. If we control those roads, we set the limits. We say, "We paid for the construction and we don't need to have any more tolls."

2100

It's not the same with the private sector. I've got to tell you, these fine Tories glorify the private sector. Do you remember the Dome, Speaker? Oh yes, you do. You have a sharp memory for these things and much more, on many issues. Do you recall how many millions the Dome cost us? Help me out, Tories.

Ms Mushinski: About \$130 million, was it?

Mr Marchese: Oh, really? A whole whack of millions.

It started out as a couple of hundred million and then it went — where did it go? They didn't know and they didn't care. Hundreds of millions of bucks. It cost a whole heap of money. Sixty-five million, was it?

Interjection.

Mr Marchese: The Dome. Then we sold it off for \$125 million.

Ms Mushinski: No, we didn't.

Mr Marchese: We sold it off for a couple of bucks. We did that. We sold it.

Hon Mr Sampson: You gave it away.

Interjections.

Mr Marchese: Hey, calm down. We sold it for 125 million bucks.

Hon Mr Sampson: You did it. You gave it away.

Mr Marchese: We literally gave it away, yes. You remember we had M. Godfrey and M. Eyton — not the Eaton of Eatons, but certainly well off too with a few bucks in his pocket. These guys said: "It can't fail. Give it to us. We'll manage it." These two guys pulled out just last week, Mr Godfrey and Mr Eyton. They said, "We're leaving this operation."

The whole point about the private sector doing it better, the glorification of the private sector doing it better, managing it better for us, it's like they're managing our worldwide economy. It's in chaos. Half the world is in chaos. I know you're squinting with surprise, but it is. Whole economies are going down the drain because of the glorification of the private sector doing it better.

Hon Mr Sampson: Socialize them all.

Mr Marchese: No, let's just keep it going. We're doing fine; we're on a roll. A whole lot of people are making quick bucks, billions and billions of dollars in easy transactions, instant transactions — your kinds of buddies, making a whole heap of money. Why? Because we glorify the private sector, and when it fails we don't say: "Oh, my God, how could that happen? Why did it happen? How could that happen to the private sector? It isn't possible because they're infallible."

They're hardly infallible. They're fallible all the time, and what happens when they're fallible? The government steps in and says, "Oh, we've got to help them out, because if we don't help them out, people will be hurt."

It's like these economies in Asia going down the tubes, so the International Monetary Fund has to get in and say, "We've got to give billions of dollars" — \$47 billion to one country, \$30 billion to another country, and whom are we bailing out? The international banking system. We're bailing out the international money system that has loaned to the tune of billions to these governments, and in order not to have them collapse, the International Monetary Fund has got to kick in a couple of billion to save those countries.

Who gets hurt? The little people. Interest rates go high, unemployment skyrockets, people all of a sudden find themselves on the street, in poverty; half the world is in bad shape, run by these great capital systems that all fine Tories adore and say they're working well.

Mr Douglas B. Ford (Etobicoke-Humber): Take a look at eastern Europe.

Mr Marchese: Sure. You talk about eastern Europe and Russia and all of that collapsing. Fine. I don't praise the kind of system they had there, but to then say that our capital system is working just fine isn't true. We need controls. That's why I say on the whole issue of privatization, don't give it away to the private sector.

Speaker, I know you agree with me on this. Is there no way for you to communicate with some of these members? Don't they listen to you at all? Does anybody listen to you? I do, and you're a Tory, for God's sake. I listen to you and so should they. I think you've got some good ideas from time to time and I think from time to time these people should listen to you, really.

These guys say that the purchaser will be exempt from property taxes. That's a good deal. That's a great deal. I'd like to be able to purchase and say, "Hey, I don't want to pay any taxes." The government says: "No problem. We want to equalize the playing field. You don't have to pay any property taxes because we think you, the private sector, need a break."

Speaker, why is this government doing this? This particular thing that we had, this private-public sector engagement, was working just fine. As the Minister of Transportation indicated, "Why are we selling off Highway 407?" I've got to say to —

Mr William Saunderson (Eglinton): It makes sense.

Mr Marchese: It makes sense, Mr Saunderson?

Mr Saunderson: Yes, it does. We should not be doing these things. We should be running government, not highways.

Mr Marchese: The member for Eglinton says we shouldn't be running highways. I know that's a view and I'm saying I disagree with that view. I believe that a whole lot of people in this province disagree with you as well. The public, I believe, wants the government to control, to run and to build highways.

We did it with the private sector. The public needs to have this privatization review publicly available so they can judge for themselves whether it's the right move. I believe that this move is of so drastic a nature that the public needs to be able to judge for itself this review process.

Interjection.

Mr Marchese: Oh. Mr Saunderson, the member for Eglinton, doesn't believe that. I believe it does.

The government promised an open, transparent privatization process, yet they refuse to release the review, citing "commercial confidentiality." In my view, this is a cover-up and it's a disgrace. The privatization review is a matter of public policy. The public has a right to see the study they paid for so they can decide for themselves whether it's a good deal. If you, the public, listening to these debates believe that to be true, you have got to call the minister responsible for privatization, call your members from wherever they are and say: "Let's sit down and discuss this. Tell me why in your judgment you think this is good for me." If you don't do that, this will pass, as they always do.

The only way we managed to be able to constrain this government from time to time, not to defeat it but to constrain it, is when you have put public pressure against this government. There is nothing to stop the owner from jacking up the tolls in future years when congestion on alternative routes increases, as it likely will, nothing to prevent this owner from doing that.

I believe they will. Some of you probably believe that but can't afford to say that or will not speak up against it. I know it takes a couple of years to be able to speak against your own government. It took me a couple of years too. It takes approximately two and a half years until you get the courage to fight back when your own Premier and the Premier's office come up with some of the policies that you disagree with. Then those of you who are brave, those of us who acquire some brave feelings, fight back. Those who do, get into trouble. The Speaker knows that.

Mr Conway: Don't. That's provocative.

Mr Marchese: But I tell you it's quite empowering. It's a delightful thing. It's refreshing to be able to take your Premier on when you've got something you disagree with him on, because then you feel like an equal. If you agree with some of the worries that the opposition have on this matter, you've got to be able to raise them. If you don't, you'll feel bad next time around. Some of us certainly did.

The tolls will continue to be paid even after the road is paid for. You've got to worry about that. You good people watching this program have to worry about that. When roads become congested, the tolls will go up and it will go on and on, even once that construction ends.

Mr Ford: We'll build a 408.

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Mr Marchese: I tell you, this bill explicitly paves the way for the privatization of Highway 407 and this bill doesn't say how the privatization will be structured and you should worry about that. The public should worry about that.

The member for Cochrane South has a lot to say on this as well and I'm going to cede the floor so that we can share the time to add a few other concerns that we have on this bill. I appreciate the attention you have paid to me, Speaker, as you always do —

Mr Conway: Rosario, give us a good Latin flourish before you take your seat.

Mr Marchese: Latin: Tempus fugit celeriter.

Mr Conway: Ergo.

Mr Marchese: Ergo, I will pass the time remaining to my colleague.

Le Président : Le député de Cochrane-Sud.

M. Bisson : J'aimerais rentrer droit dans ce débat en disant que non, je ne veux pas supporter ce projet de loi, comme j'ai dit à la deuxième lecture. Ce projet de loi, quant à moi, va beaucoup plus loin que ce qui était l'intention du gouvernement précédent, le gouvernement NPD, quand ça vient à la route 407. On a dit dans le temps, et on le dit encore, que c'était une bonne idée, considérant que l'on n'avait pas beaucoup d'argent. On était dans le milieu d'une récession et on avait un déficit d'environ 9,5 \$ milliards dans le temps, et pour construire la route 407, c'était important de trouver d'autres façons, d'aller rechercher l'argent nécessaire pour bâtir ce chemin. Dans le temps on a décidé qu'on allait essayer quelque chose de différent; qu'on allait faire un partenariat, le secteur privé avec le secteur public, le

secteur public jouant un rôle assez important pour être capable de financer la construction de ce chemin.

On a pris la décision. M. Pouliot, qui était le ministre responsable des transports à l'époque, a mis en place le mécanisme et les négociations nécessaires qui sont venus à bout pour construire ce chemin. C'était une décision controversée de la part de notre gouvernement, comme vous le savez bien. Il y a eu certaines personnes dans le Nouveau Parti démocratique qui ont dit : «Écoutez, Bob, Gilles, ça chauffe un peu comme «social democrat» que de voir votre gouvernement bâtir une autoroute provinciale avec le secteur privé.» Je ne dis pas que le secteur privé ne joue jamais de rôle, parce qu'on sait le contraire. Quand on bâtit des chemins n'importe où en Ontario, ce n'est pas le gouvernement qui les bâtit ; c'est le secteur privé. On s'en va au secteur privé et on leur demande de nous donner des prix pour faire la construction, mais à la fin de la journée c'est la province à qui appartient le chemin, et d'habitude, dans le passé c'était la province qui maintenait les chemins.

Ce qui était différent avec l'autoroute 407, c'est que quand nous avons décidé de la bâtir, on a dit non seulement qu'on allait engager comme d'habitude le secteur public pour construire ce chemin, mais on allait faire un partenariat pour être capables de trouver une façon de financer la construction de cette autoroute d'une manière qui pourrait accélérer ça d'environ 20 ans. On a pris la décision.

En tant que «social democrat» dans le temps —

Interjection.

M. Bisson : — comme M. Rosario Marchese le sait, c'était une décision pour moi qui a fallu me convaincre un peu, et même justement cette journée-ci je ne suis pas tout à fait convaincu que c'était exactement la bonne affaire à faire, mais à l'époque ça faisait du bon sens. Je referait ça parce qu'on a vu la construction de ce chemin.

On ne pouvait pas se permettre ça en 1992 dans le milieu d'une récession, parce qu'on sait que dans le temps où on est arrivés au gouvernement, il y avait déjà été bâti dans le budget provincial, avec la récession, un déficit de 8,5 \$ milliards. Notre gouvernement a décidé de ne pas virer le dos sur la population ontarienne dans le milieu d'une récession ; on a dépensé au-dessus de 8,5 \$ milliards, encore 1,2 \$ milliard ou 1 \$ milliard, si je me rappelle bien, pour l'ouvrage de l'infrastructure et aussi «the wage protection fund», pour être capables de donner une certaine garantie, un gage, à ceux qui ont perdu leur emploi durant la récession grâce au libre-échange qui a été négocié entre le gouvernement fédéral et les États-Unis à l'époque.

On a dit que d'aller rechercher d'autres milliards de dollars pour construire cette autoroute allait ajouter au déficit budgétaire de la province plus d'argent que nous, sociodémocrates, étions préparés à assumer comme dette durant cette récession. C'est pour ça qu'on était rechercher le secteur privé. Mais jamais de ma vie ai-je pensé, en tant que député dans le temps et aujourd'hui, que le gouvernement était pour privatiser ce chemin. L'intention du gouvernement était très simple : qu'on bâtît

le chemin avec le secteur privé dans un partenariat, mais à la fin de la journée que l'autoroute 407 revienne à la province après 20 ans, une fois que le secteur privé aura eu la chance de récupérer son investissement à travers ce qu'on appelle des «tolls». Ça faisait du bon sens. Ce n'est pas comme ça qu'on devrait bâtir toutes nos autoroutes, mais pour une autoroute série 400 ça faisait du bon sens dans le temps.

Mais là on voit un gouvernement provincial, comme mon ami de Fort York a dit, qui a l'intention de privatiser n'importe ce qui bouge. Eux, comme il l'a indiqué, s'ils auraient eu la chance — ils l'ont eue, la chance. Si eux allaient dans la direction où ils voulaient aller, et je pense qu'ils vont faire un deuxième mandat —

M. Marchese : Sans doute.

M. Bisson : — «Sans doute,» comme vient de dire M. Marchese, ils iront privatiser non seulement TVOntario mais LaChaîne, et je pense que ce n'est pas acceptable pour la communauté ontarienne. Le gouvernement dans le temps, à cause de la pression exigée, la pression mise par le public et autres, a décidé : «Écoutez, on ne peut pas trouver quelqu'un pour acheter TVOntario et LaChaîne tout de suite et on ne va pas récupérer l'investissement que la province a mis dans ce réseau de télévision public français et anglais dans les années passées et on ne peut pas vraiment justifier au public que ça va faire beaucoup de bon sens à ce point-ci, donc on va regarder nos affaires et on va mettre en place les mécanismes nécessaires et on va mieux comprendre la dynamique du dossier, et quand on reviendra faire notre deuxième mandat, on va dire à travers le cabinet qu'on va les privatiser, mais pas comme ça.

On sait que c'est le même gouvernement qui a dit : «Nous, on veut privatiser la régie d'alcools de l'Ontario. Il faut être «con-servateur» pour aller privatiser quelque chose comme la régie d'alcools de l'Ontario. On sait que l'année passée on était rechercher les revenus de cette régie : c'était au-delà d'environ 760 \$ millions pour la province — au-dessus. Si on privatise cette régie d'alcools, une corporation publique, on va se trouver dans une situation où on va perdre pas tout, parce qu'ils vont additionner la vente de la régie au prix de l'alcool, il y a un petit profit pour le gouvernement provincial, mais on va perdre un gros morceau du revenu qu'on a de la régie.

Le gouvernement a décidé : «Bon, au commencement on va privatiser ça parce que le gouvernement ne doit pas être dans le business du tout, eux autres. Ils n'en savent rien. Il faut laisser le secteur privé faire tout.» Mais ils ont commencé, les «con-servateurs», tout à coup de réaliser que tourner de bord et privatiser la régie d'alcools de la province ne faisait pas de bon sens du tout ni pour les Ontariens ni pour les «con-servateurs». La privatisation n'est pas toujours la réponse. C'est pour ça que je soulève ce dossier.

On sait que le gouvernement provincial dans beaucoup d'autres dossiers de la province veut privatiser tout ce qui bouge. Justement, j'ai reçu un document de la part des membres du CEF CUT il n'y a pas plus qu'une semaine, mais c'est quand même un vieux document, où le

président, le «Chair of Management Board» a décidé que cela ferait peut-être du bon sens que de faire une étude, d'engager le secteur privé pour venir voir le gouvernement et regarder tous les ministères, regarder spécifiquement les sections qui sont responsables de s'engager et de renforcer la loi.

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Par exemple, dans le ministère de l'Environnement il y a du monde qui, quand une compagnie brise la loi, vérifie ce qui se passe et, si nécessaire, charge la compagnie. Le ministère des Ressources naturelles a tout inclus les «conservation officers» et d'autres personnes dans le ministère qui sont responsables comme aides de la police quand le monde — c'est la privatisation, comme vous le savez. C'est très relié à la route 407. Je viens au point. Vous avez attendu. Le point que je fais est que le gouvernement, avec cette initiative, veut regarder comment on pourrait engager le secteur privé à faire certaines des fonctions dans le renforcement des lois provinciales pour les ministères. Moi, je dis que ça n'a pas de bons sens.

Le secteur public a un rôle à jouer et le gouvernement a un rôle à jouer quand ça vient à s'assurer que les services sont mis en place. En ce qui concerne la route 407, comme tous les chemins provinciaux, les autoroutes provinciales, je pense qu'il est important que la province joue son rôle, assume ses responsabilités et devienne responsable des citoyens de l'Ontario quand ça vient à ces services.

On sait, comme M. le député de Fort York me dit, qu'avec la décision du gouvernement de privatiser la 407, il va y avoir un prix à payer.

M. Marchese : Un grand prix.

M. Bisson : Un grand prix. Écoutez, monsieur le Président, je vous pose la question : vous allez acheter la route 407 et vous allez prendre ça comme une «business.» Allez-vous le faire pour ne pas faire un profit ou pour faire un profit ? Bien oui, faire un profit. Si vous l'achetez, monsieur le Président —

The Speaker : Why's he asking me?

M. Bisson : Vous n'avez pas d'argent dans votre salaire, je le sais ; comme député, comme Président de la Chambre vous n'avez pas d'argent. Mais on va rêver au jour que M. Stockwell a des milliards de dollars. On sait que ce n'est pas possible mais il faut bien rêver.

Si vous venez au point d'être capable d'acheter ce réseau, vous voudriez faire un profit sur cet investissement que vous faites dans la 407. Le point que je fais, c'est que vous allez vous forcer pour être capable d'avoir un retour sur votre investissement d'au moins 10 % ou 12 % pour vous assurer qu'il y a assez de revenus qui rentrent dans la corporation que vous avez mise en place pour récupérer votre investissement. Sans ça, pourquoi l'acheter ? Ça n'a pas de bon sens si vous ne faites pas ça.

Comment le faire ? Ils vont augmenter les taux qu'on paie sur la 407 pour être capables de récupérer leurs investissements. Êtes-vous capable, monsieur le Ministre, de me garantir aujourd'hui que votre gouvernement, et vous comme ministre responsable de la privatisation —

allez-vous nous garantir que les prix sur les taux pour aller sur ces chemins ne vont pas augmenter ?

Mr Marchese : He doesn't understand French. Come on, get your earpiece on.

M. Bisson : Il comprend. Je sais que M. Sampson le comprend très bien. Il écoute à l'aide de l'écouteur puis il fait très attention aux points que je fais. Mais je dis que vous n'êtes pas capable de garantir, quand ce sera privatisé, que les taux ne vont pas augmenter sur la route. C'est le point que je fais.

Hon Mr Sampson : I wasn't listening. I was occupied.

M. Bisson : Je sais que vous avez bien écouté puis je sais quelle réponse vous m'avez donnée. Mais le point est qu'on sait que la privatisation va faire augmenter les prix des taux éventuellement, parce que la compagnie va falloir récupérer son investissement avec le temps nécessaire qui va donner un retour sur l'investissement qui fait du bon sens pour l'investisseur.

Mais il faut aller plus loin que ça. Vous êtes le ministre responsable de la privatisation, et vous avez été chargé par le premier ministre et le cabinet de l'Ontario d'aller trouver toutes les occasions possibles ici dans la province d'inclure vos amis, les gros amis avec beaucoup d'argent, afin de les faire venir et s'engager avec vous, le gouvernement provincial, à trouver des manières à inclure le secteur privé autant que possible.

Je vous dis, monsieur le Président, et je dis au ministre directement, oui, le secteur privé est important. Notre économie est basée —

M. Marchese : Contrôlée.

M. Bisson : Elle est contrôlée et, plus important, basée sur un système de marché libre. Comme «social démocrate», c'est ça que j'accepte et c'est ça que je comprends. Mais la différence entre nous autres et les conservateurs et les libéraux est que nous, «social démocrates», on dit : «L'économie libre ne peut pas être complètement libre pour faire ce qu'elle veut. Il doit y avoir certains contrôles dans l'économie, certains règlements qui doivent être mis en place pour s'assurer que les gros ne deviennent pas égorgés du restant de l'économie et qu'ils ne donnent pas la chance aux autres de participer à cette économie. Nous, démocrates sociaux, croyons en ce principe.»

Vous, conservateurs, et jusqu'à un point les libéraux, croyez que le secteur privé doit avoir un rôle de faire ce qu'ils veulent, selon le marché. Mais je veux vous dire, quelqu'un de mon coin du nord de la province, que ça ne marche pas comme ça. On sait justement que votre gouvernement est en train de déréglémenter tout le système d'autobus, et on voit ce que ça veut dire pour nous dans le nord de la province. On voit déjà qu'on parle de faire un système de transports pour le monde de notre région avec Ontario Northland.

Je veux vous dire, comme député du nord de la province, que je crois que oui, le secteur privé est important pour l'économie, qu'il joue le rôle central, mais le gouvernement doit prendre sa responsabilité. Le gouvernement doit s'assurer qu'il y a en place un système d'infrastructure, quand ça vient aux transports, qui est là

non seulement pour les grosses entreprises, pour transporter leurs matériaux et leurs produits à travers la province et outre-mer, mais qu'il est là pour nous, pour moi, pour M. Marchese, pour vous, monsieur le Ministre et votre famille, et pour les autres familles dans la province de l'Ontario, pour nous permettre de voyager d'un bord à l'autre de la province, pour aller faire ce qui est important dans leur vie.

Je pense que, quand on commence à privatiser nos chemins, ça va devenir très dangereux.

I want to say one last thing in the three minutes I have to close. The minister, as I said in my comments, is moving to privatize Highway 407. I fear that once we start going down that road —

Mr Klees: Oh, is that what you were talking about.

Mr Bisson: I will not comment on what has just been said, but I don't think that was very much in keeping with what this Legislature is all about.

The government is moving towards the privatization of Highway 407 in Ontario. I fear what that means to the transportation infrastructure over the longer run — I can tell you first-hand the experience I've seen just this last weekend, as I was leaving Hearst late, at 9 o'clock on Saturday night, to come back to Timmins. We know your government has privatized highway maintenance along most of Highway 11. We know that your government has basically transferred over to the municipalities whole stretches of provincial highways. I can tell you that privatization is turning out to be a disaster when it comes to winter road maintenance on our highways in northern Ontario. I travelled from Hearst to Timmins and there were about four different standards as I drove from Hearst to Smooth Rock Falls. It wasn't so much a question of whether; it was a question of the type of work that each individual zone was doing.

I must say that this particular stretch is not privatized. The problem is that the government has cut it back so far that the ministry no longer salts it as much as it used to and doesn't have the manpower to plow to the degree we're used to in northern Ontario. When I drove on other stretches of highway in northern Ontario that are now privatized, the standard was even worse than what I saw on Highway 11 from Hearst to Smooth Rock Falls.

You never really had to worry, in winter in northern Ontario, about being able to get from point A to point B unless there was a terrible snowstorm. But nowadays in a slight snowstorm, you have to wonder if it's wise to get on our highways now that you have started to privatize the highway maintenance system. It was so bad that the trip from Hearst to Smooth Rock Falls ranged from snow-covered to snow-packed to unsalted highways, finally to a fairly good stretch of highway from just before Kapuskasing to Opasatika. Finally, when I got on the municipal road — this is the one that took the cake. I got on a highway that used to be a provincial highway, that you transferred over to the municipality of the city of Timmins, that stretches from Highway 101 out to the Kidd Creek mine site. That road, at about 1 o'clock or 2 o'clock in the morning — it wasn't even snowing in Timmins. That's the worst part. There was a very light snowfall during the day,

but the city doesn't have the means to salt and plow the way the province did. To drive safely on that highway, you had to literally drive at 30 kilometres an hour.

I stand in this House and I say to you now: Somebody will be killed in the northern part of the province, and probably in the southern part of the province as well, as a result of the actions of this government when it comes to privatization. I ask this government to reconsider what it's doing. It's turning out that you're not saving any money. We have found, by way of Chatham, after one year of being privatized you actually spent more money than it cost when we did it as a province ourselves, and the standards on the roads have gone down.

I say to the government, turn this decision around. Find a way to get the dollars necessary to make sure you are able to maintain a highway infrastructure that is second to none and that serves the needs and the interests of the people of Ontario.

The Speaker: I've received a note from the Clerk —

Mr Conway: Which you promptly tore into four pieces. Where's Bert? We want Bert.

The Speaker: Mr Sampson has moved third reading of Bill 70. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

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GREATER TORONTO SERVICES
BOARD ACT, 1998
LOI DE 1998 SUR LA
COMMISSION DES SERVICES
DU GRAND TORONTO

Mr Gilchrist moved third reading of Bill 56, An Act to establish the Greater Toronto Services Board and the Greater Toronto Transit Authority and to amend the Toronto Area Transit Operating Authority Act / Projet de loi 56, Loi visant à créer la Commission des services du grand Toronto et la Régie des Transports en commun du grand Toronto et à modifier la Loi sur la Régie des transports en commun de la région de Toronto.

Hon Rob Sampson (Minister without Portfolio [Privatization]): Point of order, Mr Speaker: I believe we have unanimous consent to divide the time available equally among the three parties and, likewise with the previous bill, if any government time remains, that that time be divided equally among the opposition parties. You will want to have that moved, I guess.

The Speaker (Hon Chris Stockwell): Agreed? Agreed.

Mr Steve Gilchrist (Scarborough East): It's my pleasure to rise to start the government's comments on this very important bill, the next step forward in terms of finding new efficiencies, new ways of coordinating the delivery of municipal services here in the greater Toronto area.

I don't think there is any doubt, I'm sure it is recognized by all the members in this House and certainly all

the people watching these proceedings tonight, that the greater Toronto area is indeed one homogeneous economic unit in the sense that there is a compelling argument right now that there is trade back and forth, either in population or in actual products, between the core city and the four regions which surround the city of Toronto.

Mr Gilles Bisson (Cochrane South): Point of order, Mr Speaker: I didn't hear, but there was an agreement on the part of the parties to split the time left —

Mr Gilchrist: That's what we just said.

Mr Bisson: OK, I'm sorry. I didn't hear you. I just wanted to make sure it was on.

The Deputy Speaker (Mr Bert Johnson): That was done.

Mr Gilchrist: I will continue to talk about how this bill gives us something we didn't have before. We didn't have a mandated mechanism for the municipalities, not just within the old Toronto but throughout the GTA, to look at ways they could coordinate service delivery, ways they could coordinate their planning and ways they could oversee the operation of what is certainly a regional transit system, GO Transit. This bill delivers on all that. The bill certainly recognizes that need for coordination of services throughout the GTA that has been recognized for decades. We don't think municipal boundaries should stand in the way of finding the greatest efficiency, the most effective way of delivering services and building infrastructure to serve the needs not just of the 416 but the 905 taxpayers as well.

If this bill is passed, the GTSB will finally create a forum for municipalities across the greater Toronto area to improve coordination of infrastructure, transportation, transit and growth management. We believe the GTSB will ensure that the GTA remains a thriving, growing, prosperous region. This legislation will assist municipal governments in the GTA to work better for the people they serve.

We've consulted extensively on the GTSB and have made a number of changes, right up to this week, to address concerns expressed by various stakeholders. The bill, as introduced, ensures that every municipality in the greater Toronto area, including upper- and lower-tier municipalities, will have at least one member on the GTSB. The GTSB's job will be to promote coordination in the delivery of services, but the GTSB will not have any direct service responsibilities except the operation of GO Transit.

We believe the board will evolve over time, and in fact during clause-by-clause hearings we were heartened to hear those sentiments shared by the Liberal member who was sitting on the committee. We believe that with the passage of time the board will evolve, but it would be presumptuous for us to presume on what that change, that evolution, will lead to. If the board chooses to make changes in its structure, it will be the board members who make that decision. In fact, the bill mandates a review by December 31, 2000, on the future shape of the GTSB. Right from the outset it is clear that from their very first meeting they will be charged with certain responsibilities,

primarily the operation of GO Transit, but also charged with the responsibility of developing these coordination strategies and reporting those back to the minister within two years.

I mentioned the consultation that we've undertaken in this bill. Quite frankly, it has been extensive, to say the least. Every single council, in fact every single councillor, upper- and lower-tier, have been consulted a number of times throughout this process.

The debate on the need for this sort of body goes back many years. At the time we were elected, the province had already undertaken to form the GTA task force, chaired by Ms Anne Golden. That report was tabled to the government in January 1996. It was followed up by a review panel on the GTA task force. That report was done by Ms Libby Burnham. It reported back in April 1996. We then had David Crombie, the former mayor of the city of Toronto, report on local governance in December 1996. We then sent Milt Farrow, a very respected former staff member at the Ministry of Municipal Affairs, out on a consultation process. Milt visited every one of the municipalities, every one of the councils. He produced a report entitled *Getting Together*. That report was received in June 1997. After that, we asked Mr Alan Tonks, the former chairman of Metro Toronto, to undertake another review of the process.

Understand that this was a very serious step forward. This is a very progressive piece of legislation, a visionary piece of legislation that has as its goal the delivery of efficient infrastructure construction and planning, not for one or two years, but for decades to come. It was worth another kick at the cat. In fact, Mr Tonks went out in March of this year. He was appointed as moderator to review the draft legislation which we had tabled on March 12 of this year — by the way, affording public input right from that date until today, nine months' worth of opportunities for individuals, as well as the council members, to express any concerns, any comments, any suggestions for improvements.

Mr Tonks received 65 written submissions from municipalities and other stakeholders. He organized discussion forums which were attended by over 140 municipal councillors, staff and other interested parties. During the consultation, again Mr Tonks took it upon himself to speak to the councils in every one of the municipalities, or the head of council. Mr Tonks reported to the minister on June 1 this year regarding the consultation he had undertaken. Bill 56 was introduced for first reading formally on June 25, 1998, following up on the draft legislation that had been published three months earlier.

We have certainly continued to receive feedback from municipalities and stakeholders since that first reading. In fact, as mentioned earlier, right up to the clause-by-clause consideration just a few days ago, we made dozens of other amendments to this bill, primarily amendments that recognized the need to develop a rural strategy, something that the rural municipalities in northern Durham, northern York and Caledon had said was an essential component of

the overall planning that the GTSB would undertake in the years to come.

We've certainly seen some ringing endorsements for this legislation. Even the Toronto Star, of all people, said, "Years from now, we're confident that the creation of the Greater Toronto Services Board will be seen for what it truly is, a visionary step forward."

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The city of Toronto deputy mayor, Mr Case Ootes, said on November 25, "We want the GTSB because that's the only way you can address the interregion transportation issues, the waste disposal issues and others that have interregional ramifications."

From the private sector we've seen a similar fulsome endorsement from Elyse Allan, the president and CEO of the Toronto Board of Trade back after the bill was first introduced, "The GTSB is needed to cope with the stresses of rapid growth."

Support is not restricted, though, to 416. Don Cousens, the mayor of Markham, said in an article in the Toronto Star back in April:

"We've got to have a way of crossing our boundaries. The public isn't served unless we look for a way of working across the GTA.

"We can't live as islands unto ourselves. There have to be linkages. The GTSB can help us do that." We certainly agree with Mayor Cousens in that conclusion.

We think the comments by Mayor McCallion, city of Mississauga, are equally valid. She said the Tonks proposal would, and I quote "promote and facilitate co-ordinated municipal decision-making on issues and services spilling over jurisdictional boundaries."

It goes on and on and on, the support from members of council all across the GTA, and there have been a number of respected experts in the field of municipal governance who have also shared their opinions, shared their suggestions on how the bill could have been improved since the draft was first tabled nine months ago. We've listened to all of those people, something that has been the hallmark of this government, much as the other side would have you believe otherwise.

Among the questions we've had to answer over and above the basic need for the GTSB, which I touched on earlier, was to counter the belief in some quarters that the GTSB is another level of government. Nothing could be further from the truth. What would be a more appropriate way of looking on the GTSB is that this another committee for the mayors of the municipalities to serve on.

You're probably aware that for, I think, seven years now, under the leadership of Hazel McCallion, there has been a group known as the GTA mayors and chairs which meets on a monthly basis to discuss exactly the issues that we're proposing be formalized under the GTSB. This was a group that Ms McCallion had established when she recognized that there was no ability to coordinate the sort of planning and the development of infrastructure that was increasingly becoming vexatious in areas where it crossed municipal boundaries.

We think that the way the GTSB has been established under this proposed legislation not only will ensure the continued involvement of the mayors and chairs but will guarantee a balance in voting that will ensure representation by population. Clearly this bill, by giving access and membership to at least one representative from every municipality, might have skewed the activities, the conclusions it would reach. When you look at the fact that some of the regions have a number of lower-tier municipal governments, and if you simply allowed their mayor alone, that still would give an inordinate number of votes compared to the relationship with the city of Toronto where obviously its one mayor has represented 50% of the population.

We countered that problem by allowing more members from Mississauga and Toronto to balance out the representation issue and as well, on all matters relating to the GO Transit budget, they will be voting with weighted votes to accurately reflect the actual population within each community. I'm pleased to say the bill anticipates that there will be changes in population in the years and decades to come and after every census the GTSB will be required to review the population and ensure that the weighted voting continues to respect the actual population in each community.

We've had other people suggest that perhaps the creation of the GTSB will increase taxes. There too nothing could be further from the truth. The GTSB has the ability to levy from its constituent municipalities the ongoing costs of running GO Transit, but it has no taxation authority whatsoever. In fact we believe that, aside from some fairly minimal administrative costs, the GTSB will be a very, very efficient way of delivering this coordination without increasing the cost to taxpayers and, hopefully, when you look at the fact that they now have pay for, say, perhaps a more balanced view when it comes to investments made by GO Transit, the services provided and the rates charged by GO Transit to its customers on its bus and rail routes.

We've heard some people concerned that the city of Toronto might dominate the affairs of the board. Again, we've recognized that and in most of the areas where substantive decisions have to be taken, it will indeed require a two-thirds vote, which means the city of Toronto would not be able, even with 50% of the vote, to carry the day without some strong support from many, if not all, of the municipalities in the 905 region. Similarly, the 905 region would have to attract support from at least some of the voting members within Toronto to accomplish whatever it is they're proposing in any motion or any budget for GO Transit.

We made sure that all municipalities below 100,000 population have one vote and one representative. On all of the others, those with a population greater than 100,000, again the formula ensures that there will be a fair and equitable balance. We've gone further, though, to ensure that there are no barriers to the attendance of all municipalities. We've made sure that this bill provides for

alternates for the mayors and the chairs and for the voting delegates from Mississauga and Toronto.

We have decided in all of this that this process will function best if there is complete involvement from all municipalities, and in fact many sections of the bill guarantee that to have quorum, to conduct votes on the budget, there must also be a majority of the regions represented. We think that guarantees that all the taxpayers in the GTA are guaranteed to have an ongoing direct say in how their money is spent on GO Transit and how issues of planning infrastructure are developed across the GTA in years to come.

We had an interesting development in committee during clause-by-clause. We were quite taken aback by a proposal made by the New Democrats who suggested, as one of the amendments they put forward to committee, the elimination of all regional governments by December 31, 2003. I can share with you that in attendance in the room — in fact he had just arrived — was Mr Roger Anderson, the regional chair from the region of Durham. There's no doubt that the regional chair was taken aback at the thought that any party in this Legislature was planning the elimination of that level of government without any kind of public debate or public involvement.

Needless to say, the government members defeated that proposed amendment because, quite frankly, we think it is not up to us at this stage to determine what the future development of the GTSB should be. We think the members for Durham, like the members from Peel, Halton and York, should be the folks who come back to us after taking the time to thoroughly review all the options. Those options may or may not include the actual change in governance within any region, but may, on the other hand, involve greater co-operation, a shift in service delivery from upper tier to lower tier or vice versa. There could be any number of options pursued as each of these politicians in those constituent municipalities makes the decisions on how best to serve the needs of their community.

I think nothing could have been more telling than the government's opposition to that motion, that we really are prepared to trust municipal politicians. In this bill, as with many others, we think this bill had such wide consultation that every single municipal politician — every single municipal politician — in the GTA was offered a number of opportunities to give their input and, presuming that they shared with us candidly and fully their views when those opportunities presented themselves, we didn't think it was appropriate to delay this process any further.

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There is no doubt that those on the other side would have us stall everything. There's no doubt they believe maintaining the status quo is the way to go. I don't think it is inappropriate to suggest that the taxpayers and the voters on June 8, 1995 suggested otherwise. This is precisely the sort of issue that has been left festering, government after government, decade after decade. The time has come to stop the talking and deliver the sort of legislation that is before us here today.

I am immensely proud of the work that's been done by the Ministry of Municipal Affairs and its staff, by the individuals I've cited earlier, who undertook those very thorough consultations all across the GTA — rural, urban, Toronto core. Everyone was consulted. It has been on the Internet, it has been debated in this Legislature, it has been out in draft form, as I mentioned earlier, for over nine months. The fact of the matter is, we have tremendous confidence that the bill, as amended, that is now before us here for third and final reading truly reflects the best balance, truly reflects the best way to take that first step into the more integrated service delivery, the more integrated planning of infrastructure, the more integrated operation by the municipalities of GO Transit.

We think this is long overdue legislation. I'm very proud that our ministry has been able to pull this together in time to meet the proposed start-up time for the GTSB of January 1. I look forward to their first meetings, as they flesh out the review process they will undertake, as they start that review, as they involve their taxpayers, their voters, in all of the discussions that others would have had us stall to hear again now.

The process must move forward. This bill delivers on a long-standing promise by our government and addresses a long-standing problem ignored by other governments. For that reason, I'm very pleased to support this bill and indicate I'll be voting for it when the time comes.

Mr Joseph N. Tascona (Simcoe Centre): I'm very pleased to join the debate on the third reading of the Greater Toronto Services Board Act. The legislation is, as the member for Scarborough East said, long overdue, but what I want to focus on is what they call GT Transit. The Greater Toronto Services Board exercises general direction and control over GO Transit and allocates its costs across the GTA and Hamilton-Wentworth. What is fundamentally important for my riding of Simcoe Centre and areas that don't have GO Transit, and is fundamental to the infrastructure that is needed in the areas north of Newmarket, is that the legislation proposes that the Greater Toronto Services Board must, upon the request of a municipality not within the regional transit area, enter into negotiations to provide transit services to that municipality.

The city of Barrie, the town of Innisfil and the town of Bradford West Gwillimbury are outside the Greater Toronto Services Board. The boundary ends at Newmarket. Currently, GO Transit is provided outside that area, through Bradford. They have two trains that go daily. That's essentially where the GO Transit bus service and also the train service — that's the end of the rail in terms of GO Transit and is also the entry point for people from Simcoe county who want to use that particular service of GO Transit.

There are some interesting statistics that were in the 1997-98 annual report for GO Transit with respect to the ridership from Bradford. It showed an increase in passenger boardings of 13.5%, which is very significant. In fact, that's the second-highest percentage increase of all the areas in the corridor for GO Transit service. The

passenger boarding per thousand increased from 443,000 to 503,000, and that obviously resulted in the increase of the train service for the Bradford area.

It's very fundamental because the service that's provided out of Bradford, where the tracks end for the existing GO Transit service — what we're trying to do, and the city of Barrie has been working very diligently along with the provincial government, is to maintain the rail link between Bradford West Gwillimbury and the city of Barrie, because the federal government has put in legislation which has allowed CN, and CN has actually activated the process, to remove the track between Bradford West Gwillimbury and the city of Barrie. I'm very confident that CN is going to be able to negotiate with the city of Barrie, with funding assistance from the province, to secure that rail line.

The objective becomes very clear, and this is why this piece of legislation is so fundamentally important for my area of Simcoe Centre, with the city of Barrie and Innisfil and Bradford West Gwillimbury. This piece of legislation allows GO Transit to become a reality. It's unfortunate that for the city of Barrie, through to Newmarket, there was GO service in the 1991-92 period but the previous government decided to discontinue GO Transit. Notwithstanding that there wasn't a fair opportunity for GO Transit to increase its ridership and develop the market that was necessary for that area, they pulled the plug on it.

This piece of legislation is fundamental and it allows, as I said, upon the request of a municipality not within that GO Transit area, to enter into negotiations to provide transit service to that municipality. So the possibility is there for GO Transit to be extended from Bradford West Gwillimbury, once the tracks are secured through negotiations with CN, all the way up to the city of Barrie. That's very fundamental to the economic infrastructure of that particular area as it connects to the greater Toronto area, because that will result in alleviating the pressures of the highway corridor from Highway 400 up to Barrie. Also, it will result in a greater opportunity for economic growth, also for tourism, into the city of Barrie area because of GO Transit returning.

The opportunity is tremendous because this puts an obligation on the Greater Toronto Services Board to negotiate with municipalities such as the city of Barrie to provide that service. I'm sure that will be something that is going to be a reality, because the fact of the matter is the growth that is occurring right now, not only from Newmarket up towards the city of Barrie, is just phenomenal growth in terms of the housing starts and the economic activity around the area. Anyone who drives from the city of Barrie into the Toronto area knows that the traffic volume has increased tremendously since 1995 in terms of new housing starts and in terms of the economic activity. The commuters who travel from the city of Barrie into Toronto are going to have another opportunity in terms of getting another form of transportation.

I'm a big proponent of rail transportation because it's very environmentally friendly and I believe that what we

have to do is balance the transportation system with the rail service that can be provided from the city of Barrie down to the city of Toronto with the car traffic that is already there and which is growing. That's another one of the problems that have resulted because of the tremendously high traffic volume that occurs from the city of Barrie to Toronto through people coming up to the tourism area from just basic, normal commuting traffic. It has resulted in the artificially high gas prices which have resulted from this tremendous high traffic volume. The city of Barrie is paying much higher gas prices than any other part of southern Ontario. The fact of the matter is that it's related to the oil companies taking advantage of the commuters and the people that have to use that highway.

2200

Another aspect I want to focus on in terms of what the rail traffic will mean is the opportunity for tourism that will result from people wanting to visit Barrie. It has a phenomenal waterfront which is all owned by the public; bike trails, tremendous boating. It's a great opportunity for people to visit the city of Barrie and see more about it.

For people who want to visit Toronto or have to go to Toronto for health services because of the services provided there, it gives them a tremendous opportunity to use the Go Transit system to get those services and not have to go through the pressure of driving from Barrie down to Toronto.

This is something that I think is a great opportunity for the Greater Toronto Services Board to take advantage of. They're going to be responsible for providing this service and looking for opportunities. They have the authority to enter into agreements with other municipalities both inside and outside the regional transit area as provided in the legislation for the provision of transit services.

The legislation is designed to make Go Transit happen for the areas that are outside the GTA. I would say that when we look at the infrastructure we're trying to create in this province and the economic prosperity we're trying to create, it should be reflected in and consistent with the trends that are happening out there in other industrialized areas. For example, in the United States the major focus of public transit is rail. It's not only for commuter; it's also for dealing with a support network for the industry in the northeastern part of the United States and also in the mid-west. That is the focus, and that's something where we can't fall behind.

I'm very pleased that I've been able to speak on this bill and I fully support it.

Mr John O'Toole (Durham East): I'm very pleased to have an opportunity to speak on Bill 56. This is a very important bill affecting a lot of people, some 4.6 million people. We're creating an area as large as many provinces.

Arguably, one of the principles when we were elected was that we believed we were over-governed and overtaxed. Arguably, the over-governed part is that there were so many levels of municipal and regional government. Since 1988 there was clear evidence, with the 2021

report at the time, that indicated there needed to be better coordination among the regional areas that had been created. That's been talked about. In fact, in an informal way the mayors of the Greater Toronto Area have been meeting, probably under the leadership of Mayor Hazel McCallion, recognizing that there needed to be coordinating bodies or activities where they got together and recognized that there would be some economies of scale in doing some things together.

Arguably, within my riding of Durham East in the region of Durham there have been many working agreements, coordinated agreements, between York and Durham for a number of years. They worked those things out, hopefully, with the best interest of the taxpayer in mind.

When this legislation came up, Bill 56, after, I might add, much consultation — there have been so many reports just in our time and the previous government's time. You could look at the Golden report, you could look at the Burnham report, you could look at the report by Alan Tonks. There was a report between that and the Tonks report as well — Milt Farrow's report. In those consultations, trying to work with the local municipality and the upper tier of the regional government, there was pretty much consistent agreement that there needed to be coordination. To co-ordinate what? I think they finally agreed to the issue of coordination of Go Transit, to be named GT Transit, The Greater Toronto Transit Authority.

When I reviewed the legislation and talked to and listened to the mayors and the regional chair where I'm elected, I heard very serious concerns about the rural portion of Durham, which really, arguably, is my riding. Areas like Blackstock, Tyrone, Inniskillin and outside Port Perry, the smaller communities, to name but five, don't really see themselves at this point in history as part of that larger urban area. They do enjoy some of the benefits of being linked to the region; some of the service levels they enjoy today arguably are as a result of the region. I might add, the region of Durham, after some 25 years, is really just being digested or accepted. Many people saw it as an unnecessary form at that time it was brought in, I believe about the time of the Davis-Robarts era when that thing was being formulated.

The governance model in Ontario has generally been as a result of studies, but under the stewardship and management, I say humbly, of Conservative governments. I think back to Leslie Frost and the great vision of that Premier of Ontario, translated to Robarts and Davis, which gave us the wonderful province and the governance model we have, but as things change, this legislation's time had come.

There is some suggestion that the local levels are quite worried and the regional levels are quite worried about doing duplicate things, so the bill is necessary. It's only empowering two things to happen. One is that it empowers the operation and management of GO Transit, now called GT Transit Authority, and it provides some coordinating responsibilities or mediation responsibilities between

regions and municipalities to ensure that we have the appropriate levels of service and infrastructure and that we avoid as much duplication of cost as possible.

People will say that such things as transit are obvious, but then you look at other issues. They've already got a Greater Toronto Marketing Alliance, which is economic development for the region. This is not part of that bill but it is a body that was created and that body was created really out of the greater Toronto mayors.

As much as I would like to resist it, the question really is, what is the role of the rural municipality? That is going to be a very central question that local municipalities in the region are going to have to deal with. In this bill there is a provision — I'm happy to say that the minister listened, because it was brought to his attention, not just by me but by the rural mayors and others, questioning a couple of issues, and they listened and responded with an appropriate amendment.

For the record, I made remarks a couple of weeks ago. I said in the House here that I was having some difficulty supporting this legislation. I said that out of respect to my constituents. But the minister and his staff and the ministry staff listened as well. I put to them what I thought were potential solutions and, oddly enough, there are amendments to this bill. Those amendments are absolutely critical to my constituents and to me, not just in the politics of getting re-elected, which of course is important, but to show and demonstrate — I live in my riding. I'm not just some visitor. That's important to me. So there is passion involved. That may not translate into other speakers here tonight on this particular issue.

I'm pleased that section 22 of the bill was amended. The GTSB can adopt a countryside strategy. The rationale for that is that the additional provisions will assist rural municipalities in defining their role in the Greater Toronto Services Board. The agricultural industry in the GTA ranks number one relative to the other areas in the province and it is important that this is acknowledged in such strategy. Rural interests must also be reflected in this strategy. So there it is.

Over this period of time the legislation in section 33 proposes that they set up the future directions of this body. This body of course has no taxing power and its going to have to work in a coordinated body among some 40 municipalities and elected people. So there it is, very clearly, an amendment that says, "You've got to have some strategy to deal with the rural component." Why is that important? Anne Golden in her report very clearly said that areas like Brock and Uxbridge and Scugog and Clarington, those portions of Durham, arguably maybe don't fit into this GTA urban form. So there's a provision for them to address that specific issue.

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I think this is an important amendment, again arising from debate, not just by myself but questions from all sides and all levels. Section 33 is the section that sets up some sort of review process by the year 2000, and there is in here an amendment that I want to read into the record. The amendment would ensure that the board must have

regard to resolutions from member municipalities dealing with the board's size and composition.

This is the situation where a municipality or a regional government passes a resolution saying we do or do not want to be part of the GTA or this particular direction. That amendment clearly recognizes that their considerations will be reflected in their participation in the future.

I've listened to the mayors, Mayor Diane Hamre, Mayor Moffatt from Scugog, Nancy Diamond and others within the region, as well as Roger Anderson, who took the time out of his schedule to attend the days of the clause-by-clause amendments. By the way, I chaired that section, so I'm quite familiar with the bill and its details.

It is a required piece of legislation. Coordination is arguably the most important function of this, but specifically the real responsibility of this board is to manage GT Transit and to help coordinate the future of this greater Toronto area.

Thank you, Mr Speaker, for allowing me the time to comment on the record on behalf of my constituents of Durham East.

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to continue the debate on Bill 56, the GTSB bill. I want to start my comments by commenting on some of the things that one of the government members said about the consultation that's taking place on this bill.

Mr Sean G. Conway (Renfrew North): Which government member?

Mr Phillips: Mr Gilchrist. I would just say that there was not one single day when the public could come and present their views on this bill. Mr O'Toole mentioned that the Durham regional chair, Roger Anderson, was here. He was here because he wanted to speak. He was here because he wanted to let his views be known. Mr O'Toole is shaking his head, but I talked personally to Mr Anderson. He was furious that he was not allowed to present his views on this bill on behalf of the residents of Durham. He said that if any municipal government ever tried to gag the public like that, the people would storm the doors, but there was not one single member of the public allowed to comment on this bill.

Mr Gilchrist said, "We've got to get it done." The bill was introduced in June. We've now had seven months when we could have had the public here presenting their views on the bill. But Mike Harris said no, there won't be a single minute, not a minute, when the public can come and present their views on this bill.

The Ontario Chamber of Commerce this week wrote condemning the government for it, saying: "What are you doing? Why can't the public have an opportunity to come and provide input into a government bill?"

The reason I raise this is that for four days this week we have been dealing with a process around here, this is only the latest one, where the public have had no opportunity to input into significant bills.

On Monday the property tax bill was rammed through committee. It was the seventh property tax bill. The Association of Municipalities of Ontario begged for an opportunity to present their views on it. The Association

of Municipal Clerks and Treasurers of Ontario, the senior municipal officials, begged for an opportunity to present their views on it, and so did many other people. The region of Halton thought they had an undertaking from their four Conservative local members that their wishes would be allowed to be presented. But I say again, on the most significant property tax bill, the government wouldn't allow one single individual to present their views on it, in spite of the fact that these well-recognized experts wanted to. The government in its typical bully fashion, and I pick that word deliberately, refused to allow anyone to come and present their views on that bill.

Yesterday, Mr Speaker, as you know, the government rammed through another one of these things on the tax bill, where they invoked what's called closure.

The most recent one, and the reason I raise this, is because it was Mr Gilchrist. Today, this morning, we were dealing with a bill that will dramatically impact on every doctor in the province of Ontario. Without any question of a doubt, it has a profound impact on them. The Ontario Medical Association, the group that represents our doctors, was desperate to get its views known to the members of the Legislature before we dealt with this. The teaching hospitals, the medical schools were desperate to get their views known, so they sent someone down here with envelopes, because we were dealing with this bill, we were voting on this bill this morning at 12 o'clock. The people arrived here with the envelopes to deliver to the members. Here's what Mr Gilchrist said: "Someone has gone to an awful lot of trouble to perpetrate a fraud and a misrepresentation on the government members."

He goes on to accuse one of our members, Mr Kennedy. He says he should be "censured for allowing his office to be used as part of this fraud. It is extraordinarily inappropriate and I'm astounded if any member on the other side would defend this practice."

He goes on to make sweeping, dramatic accusations. Then we find that later on that afternoon the Speaker, once he looked into it, was forced to say to Mr Gilchrist, "You were wrong." The Speaker was forced to point out to Mr Gilchrist that —

Mr Steve Gilchrist (Scarborough East): I think you mean the member for Scarborough East.

Mr Phillips: No. You used Mr Kennedy's name, Mr Gilchrist. You deliberately used Mr Kennedy's name and I'll use your name, Steve Gilchrist, because you made an unfounded accusation. It's typical of you. What did the Speaker say? He said, "All I can do is explain to you that the report I've received from our security office does not implicate Mr Kennedy at all." He goes on to say, "I will be happy to discuss this.... It does not implicate Mr Kennedy nor Ms Boyd, who was also receiving envelopes for her caucus at the time. There seems to have been a mix-up, but it was internal to the Conservative caucus."

So I would just say, for four straight days we've been subject to the bully tactics of the Mike Harris government. On Monday, the bully tactic was refusing to allow the association of municipalities to comment on a bill, the clerks and treasurers to comment on a bill, any of the

public. The region of Halton, all the chambers of commerce in Halton, desperately wanted to comment on a bill.

On Tuesday, this bill, Bill 56, was rammed through and Mr Anderson, for one, was there, the regional chair, wanting to provide input, the chamber of commerce wanting to provide input, but no, no —

Mr Gilchrist: Oh, yes, already sent his comments in in writing.

Mr Phillips: You see, Mr Gilchrist is barking again. He is typical of the Harris government wanting to ram these things through because they are going to do whatever they want and the heck with what the people of Ontario think. That's not the Ontario that I want, it's not the Ontario that the people want.

Ms Marilyn Mushinski (Scarborough-Ellesmere): How do you feel about the bill, Gerry?

Mr Gilchrist: Gerry doesn't have any thoughts on the bill.

Mr Phillips: There's Mr Gilchrist again, who was today found to be making unfounded charges, made up out of the air. Serious charges, typical of what you do, Mr Gilchrist. You threaten and you bully people, but it's not going to work. The people of Ontario understand that.

So I say to the public that this is important. This is typical of how Mike Harris operates.

Mr Gilchrist: Mike Harris wasn't even here today.

Mr Phillips: You were here, Mr Gilchrist. You made the accusation.

Hon Tony Clement (Minister of Transportation): Speak to the bill if you have the courage.

Mr Phillips: There's the transportation minister. I will also say we are dealing with an issue where he authorized \$600,000 of taxpayers' money to be paid when all of our lawyers advised us not to do it. That's Mr Clement. He authorized the \$600,000 expenditure. The public says: "Wait a minute. Why did you do that, Mr Clement? Why did you authorize \$600,000 of my taxpayer money to be spent?" —

2220

Hon Mr Clement: Go out there and say that and you'll get a reply. You're a disgrace and a coward. You're a coward.

Interjections.

The Deputy Speaker: Order. I'm standing up. I'm the only one who is supposed to be talking.

I wanted to bring the debate again within the terms of the bill we're debating. I would appreciate it if you would direct your comments to others through me, through the Speaker. I think we would be better served if we would maintain that rule of referring to others by their riding names, rather than their names, but I would ask you to direct your comments to me, the Speaker, please.

Mr Mario Sergio (Yorkview): On a point of order, Mr Speaker: The member for Brampton South called the member for Scarborough-Agincourt a disgrace and a coward. I would say the minister should withdraw his remarks. I believe there is no place in this House for calling another member a disgrace and a coward. I want your ruling on that, Mr Speaker.

The Deputy Speaker: There are two parts to your point of order, and I want to address them separately.

The first one is, when something is shouted across the floor, it's pretty hard to know who it's directed to.

The other thing I want to do, and that is the second part of your point of order, is that I want to address the member for Brampton South. If you have something you would like to withdraw, I'd appreciate your doing it at this time.

Mr Sergio: Come on. He didn't withdraw.

Mr Phillips: That's typical of Mr Clement. I understand that.

Mr Frank Klees (York-Mackenzie): You should be able to take it.

Mr Phillips: Oh, I can take it. I say to Mr Clement, the public will be the ones who will be the final judges of your actions, of the \$600,000. If you would answer a question in the House we'd be glad to ask you a question, Mr Clement, but you won't answer the question on it.

I want to go on to discuss some of the concerns about the bill.

Hon Mr Clement: Hallelujah.

Mr Phillips: Hallelujah? I realize you don't like the public to be reminded of the approach Mike Harris takes to policy in the province of Ontario.

Mr Gilchrist: They can do their own thing.

Mr Phillips: Mr Gilchrist is continuing to barrack over there because he doesn't appreciate the public's understanding the way this government operates.

I want to review some of the concerns in the bill. The first concern is that the government of Ontario has decided to load about \$106 million of GO expenses on to property taxes. It's part of dumping about \$660 million of new costs on to property taxes.

These are their numbers. This is their own document that shows they've added \$660 million to property taxes. Of that, \$106 million is GO Transit. That used to be what the province picked up as their cost of GO Transit. From now on, no. That will all be on property taxes. The issue then is, how do you determine who pays what of that? One of the concerns about the bill is that the government of Ontario, Mike Harris, has decided how those costs will be allocated. He's made that decision already: to the city of Toronto 50%, and 50% outside.

To change that number, you need a two-thirds majority vote. In my opinion, that has the potential to create gridlock, because if the surrounding municipalities want to increase service, the city of Toronto is picking up half of those costs, and recognize that about 15% of the ridership of GO is from the city of Toronto. In order to change that formula, it requires a two thirds vote.

In my opinion and in the opinion of others, I think we are running a significant risk of creating gridlock on GO, of slowing down what should be, in my opinion, a substantial expansion of GO, because, as I say, the city of Toronto is required by this formula to pick up 50% of the costs. While the city of Toronto certainly benefits from it — about 15% of the ridership is from the city of Toronto — the rest is from outside of Toronto but Toronto will

pick up 50% of the cost of it. To change that formula, to change that number, you need a two-thirds vote. In my opinion, I can see where this will inevitably lead to an impasse on decision-making at GO. That's a significant concern, without a question of a doubt.

I have followed the development of the GTA mayors and regional chairs for some time.

Mr Jean-Marc Lalonde (Prescott and Russell): On a point of order, Mr Speaker: Is there a quorum in the House?

The Deputy Speaker: Is a quorum present?

Clerk at the Table: A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk at the Table (Mr Todd Decker): A quorum is now present, Speaker.

The Deputy Speaker: The Chair recognizes the member for Scarborough-Agincourt.

Mr Phillips: The major decision-making of this board, of the GTSB, obviously has to do with GO, and we are putting in place a formula that can only be changed by a two-thirds vote. My fear is that rather than GO being expanded, as I think everyone believes it should be — the area around the GTA clearly benefits from an expansion of rapid transit — I'm afraid this bill institutionalizes gridlock on decision-making.

As I said earlier, I'm very supportive of a Greater Toronto Services Board. There's no question that it is needed, no question at all that we have to have one. I'm very supportive of the process of taking some steps forward. I give Mayor McCallion of Mississauga a lot of credit. Seven years ago she had the idea to have the greater Toronto mayors and regional chairs begin to meet. They meet on a monthly basis. She chairs those meetings and does, in my opinion, a terrific job. That body has served us well, but it's time to take the next step forward. That's what this bill does, and I'm supportive of that. I've said that all along, on any occasion. I'm supportive of taking a step forward where we now have some decision-making processes for the greater Toronto area. My major concern is around the GO decision-making, where I think we may be putting in place a process that provides them with gridlock.

The rest of the bill I'm generally supportive of. Virtually everyone else who has looked at this would suggest a board with more power. I recognize that at this stage that is a difficult sell for the region. Until they get an opportunity to work together on decision-making, it's probably best to take this step, to put in place a mechanism to review it, as we will, and find out what the next logical move is. I can't prejudge that. Clearly, there are many big issues facing this area: waste disposal; the environment; our road structure, in addition to our transit structure; economic development is contained within the bill, and that will probably function well; our sewer and water system will be coordinated but not forced coordination on this. I think it is a significant step forward, and while those who have come and studied this before us might suggest more decision-making power, we can live with this, our caucus can live with this.

2230

I'm pleased to participate in this debate. I go back to my opening comment that I think it's unfortunate that organizations such as the chamber of commerce, such as the —

Mr James J. Bradley (St Catharines): I want the chamber to be heard.

Mr Phillips: It was just this week we all got a letter from the Ontario Chamber of Commerce indicating their dismay with the fact that there was no opportunity for public input on this.

The regional chair of Durham was here —

Mr Conway: He got, as we say, the bum's rush.

Mr Phillips: — and got the bum's rush, as my colleague says. He simply found it incredible that a democratic body here to serve the public wouldn't allow him to be heard. He would never get away with that at a regional council meeting.

Mr Bradley: He was muzzled.

Mr Phillips: Muzzled, as my colleague says.

It has been four straight days now that the face of the Harris government has been exposed. On Monday, the property tax bill: Not a single person allowed to present. AMO, the Association of Municipalities of Ontario, and every major body impacted by this wanted an opportunity to come and make recommendations on how to make the bill work better. On Tuesday we dealt with this bill, Bill 56, with no opportunity for any public input. Yesterday, closure on a major tax bill that, among other things, set a brand new estate administrative tax that will raise about \$1.5 billion, but the debate was just closed off. This morning there was a bill dealing with the lives of all the doctors and all the communities in the province, and the government members, or at least one of them, felt it was fraudulent — that's the term that was used — for the doctors to try and get letters of concern to us.

I regret that the government chose the route they chose. This bill was introduced on June 25. There was plenty of time to allow people like the regional chair of Durham to come and present his views but, no, they were shut off from that opportunity.

Mr Bradley: I would have thought Mr O'Toole would have assured that.

Mr Phillips: My colleague says he thought Mr O'Toole from Durham would have assured that, but it didn't happen and Mr Anderson was forced to just simply sit and listen.

I'm pleased to participate in the debate and to once again say that we're supportive of the bill; in terms of the process, we couldn't be more dismayed by the continued approach that Mike Harris takes to public input here.

Mr Sergio: I'm pleased to continue the debate on Bill 56, which is the bill proposing some changes to and restructuring of the transit service and the coordination of some other services within the GTA.

My colleague the member for Scarborough-Agincourt has delved in some depth into the formation of this new GTA council and the pitfalls and problems that could be associated with that particular body. I did suggest a similar concern during the second reading debate and I do

concur that we are going to have serious problems with that particular formation.

We support changes. It is not that we don't support changes. I think this is something that has been advocated for many years, as has been said by various members of the House, but it is not the changes proposed in the bill that would make the difference. The difference would have been made if indeed the changes in this particular bill had been made according to the recommendations and the reports of the task force, those two particular concepts, that is, the Golden report and the Crombie report. I wonder what they are saying today when they see nowadays how we are arriving at approving legislation, approving ideas in this House totally contrary to the recommendations of those two very expert people.

Yes, the proposal does go beyond the municipal boundaries in the area of the GTA, including Metro. Those recommendations were the focal points of those two main bodies, the Golden report and the Crombie report, that to make it work and make it work effectively, you would have to go beyond those municipal boundaries. Not only was it restricted to making some minor changes to accommodate transit operation, but they also suggested making ulterior changes in the municipal restructuring of those GTA municipalities.

Time has gone by. I believe it was the member for Scarborough East who very forcefully said: "It's time that we move on, that we make those changes. Let's get on with it." We said: "Yes, let's get on, but it's how you're pushing on. It's how you're pushing through this particular piece of legislation." It is not that we are allergic to changes. We are not. We have been making good suggestions, good proposals. We have provided a number of good amendments. Unfortunately, knowing how things are done at various committee levels, we didn't have very much success. But again we are exposing our views to the House, to the members of the House and the minister who is in the House tonight, that if you want to make changes that make a difference, then major changes are needed, and not solely to the transit operation. If you want to act on this particular piece of legislation and bring serious changes, I would say to the minister, consider making those major changes.

I don't think the government had any difficulties going against the will of the people in Metropolitan Toronto. I don't have to tell you, Mr Speaker. You were around here when the various debates on the amalgamation of the Metropolitan Toronto municipalities took place, and the acrimony that those debates and the idea of amalgamation against their will brought on. Against the will of the people here in Toronto — 76%, 78%, and even higher in some other municipalities — what did the government do? They said, "No, we are going to do it, we are going to push ahead with it," and they did. Right or wrong, they did. We believe they were wrong to do it in the way they did, not only how they did it but to push it through against the will of the people of Metropolitan Toronto.

What was so difficult to do the same thing within the greater Toronto area? I would say that amalgamating the

GTA municipalities, especially the lower-tier ones, is more important. It would create a much more efficient level of government than Metropolitan Toronto itself. Toronto already was on its own, even though you had the six or seven municipalities. Toronto was functioning as Metropolitan Toronto on its own already. It was already functioning well as one city. OK, fine, now we call it Toronto, one city. We do not recognize any more the six or seven boundaries of East York, North York, Scarborough, Etobicoke and so forth, but if you look at the past governance within Metro, it was one city and it was working fairly well.

So what happened? Against our will, our suggestions, and the people of Metropolitan Toronto who very vociferously said, "We don't want it and we don't want it that particular way," what did the Premier do? What did the minister do? They moved on. They steamrolled the people of Metropolitan Toronto and they imposed their will.

2240

If they did that in Metropolitan Toronto, why didn't they do the right thing and do the same thing within the GTA? Toronto, as we know, is practically built up, with very little open land available other than some spots for rezoning here and there and knocking some old buildings down and building new ones, and stuff like that. The big activity is in the GTA. It's in York region, Durham, Halton, Mississauga, in the various other regions where we have an abundance of good land, reasonable and — I shouldn't say "reasonable and affordable"; it is not affordable, but at least we have an abundance of land. They are developing fast; they are moving fast.

We just finished dealing with the 407 bill. During the debate — I'm pleased that the minister is still here — we heard from the municipal representatives of those regions, saying to us at the committee level, "Please relieve the congestion we have in our communities on the roads." We all know what it's like driving on the Queen E in the morning, or the 401 east at rush hour. They were saying, "Please give us a highway because we are bursting at the seams." It would have made more sense to amalgamate those regions and create a much more effective type of government. Those were the recommendations of the Golden report and the Crombie report from two well-qualified people.

Why didn't they do it in the GTA? It took more than two years. The government got cold feet. I don't have to explain why they got cold feet. They didn't move so smoothly, the way they moved within Metro, to do the same thing in the 905 area. I would say every member of the House knows the reason. I'm sure we could talk a little bit on the reasons for that. The GTA would have shared in the transportation, and not solely in what this bill is trying to accomplish at this time. They would have shared in transportation; they would have shared in planning, zoning, rezoning issues; they would have shared in sewers and water, garbage collection, garbage disposal, recycling and other services associated with the running of a local municipality, including road maintenance, snow removal.

I don't have to tell those members of the House who come from local council experience the problems associated with snow clearing and snow removal in wintertime. Some municipalities provide snow removal; some don't. Some municipalities provide sidewalk clearing, some municipalities don't, and so forth. We have this problem as well. We're also including housing and social services. How do people feel when one abutting municipality provides a particular service and the next municipality provides a different service?

I would say that if the government and the minister, or Mr Harris, really had wanted to bring about those changes, he would have gone beyond the political aspects and said to the 905ers: "We have to do it. It makes sense." But no, there is still some strength within the 905 area, "We don't want to rock the boat," so they got cold feet.

On top of the Golden and Crombie reports, I know Mr Tonks, the former chairman of Metropolitan Toronto, a well-experienced politician — and I met with him on a number of occasions — has done extensive consultations with the various municipalities, the various politicians of the outer regions in the GTA, the mayors, councillors and regional chairs. In the opportunities I had to speak to Mr Tonks at the various meetings I attended, he didn't have an easy ride trying to convince those local politicians.

I give it to those local politicians, because they are elected locally, they are elected by their local constituents and, first and foremost, they have a responsibility to listen and respond to their constituents. So I can imagine why, in certain areas, as I mentioned before, they would not have given such an easy ride to Mr Tonks during his consultations. But I know for a fact that he has really worked long and hard in consulting and meeting the members of those regional areas. They were not all in favour, as I said — not because of the NIMBY syndrome, but because everyone was trying to defend their own constituents' interests — and why not?

What about from an economic point of view? Would it make sense? One of the government members said, "Economically, this is going to be great." Sure, economically it's going to be great. Do you recall, for example, a couple of years ago when one of the local municipalities just above Toronto was trying to outdo the other municipalities, including Toronto, saying, "We are the city above Toronto," spending tax dollars to promote, and rightly so, business within their municipality? Why did the government do the amalgamation in Metropolitan Toronto? Why has the government been downloading and amalgamating throughout Ontario? In the good name of savings. I don't know if it's better government or not, but they've been pushing for more effective local government, stuff like that. Whether they have accomplished that, I really have no idea.

If that is the case, the GTA makes very eminent sense, especially from an economic point of view, where you have competing municipalities, all fast-growing and all competing for the same jobs, the same types of businesses, and spending tax dollars. It doesn't matter if you are in Mississauga, in Halton, in Oshawa, in Richmond Hill or

in my friend's area, Aurora or Newmarket. Business is business; the economic situation is the economic situation. The tax dollars are the same and jobs, I'm sure, are the same all over Ontario.

The government says, "We've got to move on." OK, let's move on. "This was one of our most important priorities or promises," as the member for Scarborough East said, a long-standing promise, a PC promise. I don't remember that this was a long-standing promise made by the PCs, but even if it was, we are saying it is not what you're doing; it's how you're doing it.

For example, why would it have been better to have major changes in the GTA, and not necessarily the changes proposed in this piece of legislation? I can see why, for example, when Ms Golden and Mr Crombie in their reports said, "We have to go beyond the boundaries and have a direct" — this is part of their recommendations — "elected GTA board or council and replace the regional ones. Amalgamate" — this was one of their principal points — "and reduce some of the lower municipalities" — and they had one particular recommendation — "from 24 to 18."

This would have accomplished and would have given to those municipalities — first of all, it would have eliminated one of the major problems which continues to divide and split the 905 and the 416 areas, and that is funding. That has been a problem for many, many years. Mr Speaker, I don't have to tell you there has been a problem with funding, revenues, the fair components and subsidy. This continues to persist. This continues to divide not only the various GTA regions, but the 905 and the 416 areas.

2250

I'll give you an example of a particular situation we are still facing today; GO Transit financing. Toronto will be paying half of the downloaded GO Transit subsidy cost while Toronto residents make up only 15% of the ridership. Meanwhile, expanding train services are primarily targeted to the 905 regions around the Toronto area. It's the same thing with the TTC. Toronto pays 100% of the downloaded subsidy cost, while at the same time residents of the 905 area are using the TTC to get to work, and that's OK.

We are saying that the changes proposed in Bill 56 are an initiative, but if we want to see major changes that would really make a difference, then we will have to go back to the drawing board and make those necessary changes as we had in the Golden and Crombie reports.

I have just a few seconds left. Let me say that it has been a pleasure to speak on this important piece of legislation. I only wish the government would slow down, listen and get it right. If they go ahead, as I'm sure they will — they've been pushing the legislation — perhaps Mr Crombie will be the right person to head the GTA board.

Mr Bisson: I'm somewhat happy to speak to this debate. I would be happier if we weren't having this debate in the first place, but this is a bill in keeping with what this government is all about, privatizing everything that moves or getting rid of it in some fashion so that

there's less accountability on the part of the public. In this particular case —

Mr Joseph Spina (Brampton North): What does that have to do with the GTSB bill?

Mr Bisson: The GTSB bill, as you would know, deals with how you deal with GO Transit once you've decided it is no longer a provincial authority. The government of Ontario decided some years ago that in the region known as the greater Toronto area there needed to be a commuter train system to take the traffic off our highways, and for very good reason.

If we take a look at the situation when it comes to traffic in the city of Toronto and the GTA generally, we know that our highways are quite congested with traffic. Having a good infrastructure when it comes to a train system as far as commuter trains are concerned is a good thing for the commuters coming in and out of the city of Toronto to work or whatever, for a number of reasons. It's cleaner for the environment. It is probably, in some cases, cheaper for the individual traveller. But also very important, Mr Speaker, and you would agree as a member who comes here from afar every week, it is good in the sense of trying to keep some of the traffic off our highways, such as Highway 400, Highway 401, the Gardiner Expressway and others.

The GTSB bill is a clever device to figure out how you deal with GO Transit once the transit authority no longer exists the way it did before, because the government decided, pure and simple, that it wanted to download GO Transit off the books of the province on to municipalities. How do you do that if you have a GO Transit system that is larger in geographical terms than just the then city of Toronto, Scarborough, Etobicoke, Mississauga, Oakville and the list goes on? They needed to find some mechanism to link, in some ways, shared responsibility when it came to the management of that service because no longer was it going to be a service of the province of Ontario.

Harris, in the mode of the Jean Chrétien government and the Brian Mulroney government before it, is engaging in what is called downloading, pure and simple. They are taking GO Transit off their books. They're throwing it on to the books of local municipalities and the local municipalities will be responsible for the management and, in the end, financially responsible for the service.

As well, the government of Ontario will no longer subsidize GO Transit. I want to point out, and I want to say it quite clearly, that there is hardly a mass transit system anywhere, with the exception of a few, that is not subsidized by government in some way or other. If you take a look at what is considered a fairly efficient train system in Europe, you will see that governments in Europe, in England, France, Germany, Italy, different places, to ensure there are good transit systems as far as trains and others are concerned, subsidize their systems of rail passenger service to make sure the service exists and is able to serve the people of their nations.

Here in Canada we had that way of doing things for a number of years, but we decided some years ago, I think wrongly, for the government to get away from the idea of

subsidizing trains. We've seen the federal government basically privatize what was then our national rail service and now we see Ontario in its own way very much turning around —

Mr Spina: Is this the case of a northerner telling the south how to operate —

Mr Bisson: Yes, I think a northerner has the right to tell the south what to do every now and then because, I'll tell you, the south is always trying to tell us what to do. Of course I have a right to come here and express that view.

Interjections.

Mr Bisson: It's interesting for the member —

The Deputy Speaker: Come to order.

Mr Bisson: I think we've stirred the nest just to the side of us here in the rump because they're certainly responding to what I'm saying.

But the point is, quite simply put, that the government is abandoning its responsibility to ensure there's a good commuter rail service here in the GTA and they're offloading that responsibility on to the municipalities.

I think that's dangerous. Initially people probably won't be too concerned. Initially the people in the Toronto-GTA area will say: "What does it mean for me? The trains will go on and we never have to worry about this." But as municipal governments become more choked for cash as a result of the downloading, and God forbid we should end up going through another recession — and I hate to say it but we will because these things are cyclical — municipal governments will be less able to maintain this kind of service in hard financial times than is the case for the province of Ontario. You're not going to see an expansion or a strengthening of the system of GO Transit across the GTA. What you're going to see, and I'm probably going to be proven right, is a GO Transit system that's going to diminish compared to what people are used to now.

We know that there's been a cry across the GTA, that there's been a cry out of Hamilton, Barrie and other communities where they've been trying to get the GO Transit system to work more efficiently and add a number of runs or, in some cases, move into those communities, to allow commuters in their communities to come into the GTA to work or do whatever they have to do.

I think this particular move is wrong, but at the very least the government should have taken a different approach if they decided to do this. They should have taken a different —

Interjection.

Mr Bisson: I wasn't expecting that one. I was just about to wrap up my comments.

Now that I have the time, let me go into the second part of the argument. I disagree philosophically with what you're doing because I think it's bad for commuter rail service, but at the very least what you should have done is maybe looked at doing this a bit differently. The government embarked — Steve Gilchrist, the member from Scarborough wherever —

Mr Gilchrist: There he goes again.

Mr Bisson: I don't know the name of your riding.

Mr Gilchrist: Scarborough East.

Mr Bisson: Scarborough East — was very adamant about his government's need to make a big megacity. I understood the philosophical bent on that. I didn't agree, but the philosophical bent was that you had to make bigger communities to make it more efficient. In this particular case, what they ended up doing is that they supposedly eliminated levels of government by doing so, but what they've done, on the other hand, by way of the GTSB bill, is they're creating another bureaucracy to deal with what was set up already in Ontario. So now you have the local municipalities that have become one and you have now created this GTSB contraption to deal with the services as provided by GO Transit. As well, they're saying within the legislation that they're going to give the GTSB — the Greater Toronto Services Board; I should get out of the jargon so people in northern Ontario know what I'm talking about, because GTSB may not ring a bell — the ability to negotiate with local community councils such as Toronto, Oakville and others to co-manage or take responsibility for services that are broader than just the municipalities themselves. So in effect what they're doing by way of this bill is creating a larger regional government. I think where this will end up, and I would imagine the government won't admit this, is that this bill is going to lead to a larger regional government.

2300

I would most favour the government taking another approach. OK, you wanted to do the megacity thing, and I think that was wrong. I think in the end that is not going to save us a lot of money and I don't think it will serve the communities of Toronto. We can get into that debate another time. But at the very least, what you could have done with this bill is you could have said: "All right, what we're going to do is take a look at how we deal with regional governments in and across the GTA. Should we have a governance of a larger regional government" — I think the question has to be asked — "to find a way to deliver those services across the GTA in a more efficient manner, making sure that there is coordination within the services?" At the very least, if you're going to download the services, you should download them to something that will at least have some sort of organization across the GTA so that they're able to make decisions that are in keeping with the geography and the needs of those communities.

I come back to the point that I don't believe GO Transit should have been transferred off the province's books. I think that is a bad decision. In the end you're not going to be served well. Commuters will end up having lesser services and probably paying a higher price.

In the last minute, before I wrap up, I would say that I see this as a transitional bill that eventually is going to lead to the creation of regional government. That's where this particular government is going with this. So in the end this government, which tried by way of a number of bills, including the megacity bill and this one, to create less government in fact is going to end up creating much larger government, with larger bureaucracies, which is probably

much less efficient than it would have been had they left things alone at the very start.

As time goes on, we are starting to find out — and a lot of municipal politicians have come to this conclusion — that this government is a really bad manager. They're very good at making snap decisions but very bad at implementing those decisions, and once a decision has been made and has been implemented, it's a big problem.

I have seen more municipal aldermen and municipal mayors across the province mad as heck at this government, and sometimes not for ideological reasons because I think a lot of mayors and aldermen across Ontario have a lot in common with this government when it comes to their politics. They're very much to the right, much as is the case with the present Conservative government or the Liberal Party of Ontario, but in the end they are mad at you. Why? Because they think you're bungling the system. They see what you're doing as pure downloading and they see what you're doing as being very badly managed. They are really mad because half the time they can't get answers from your ministries, not because the ministries aren't trying hard to serve their master, the Conservative government, but because the Conservative government and the cabinet can't quite figure out how to make half this stuff work.

I know the member from Hamilton is looking forward to getting into the debate. At this point I just want to say to the government members that I think in the end what you're doing is creating a larger government, and I wonder sometimes what you guys are really up to and what you're all about.

Mr David Christopherson (Hamilton Centre): I appreciate the opportunity join in the debate on third reading of Bill 56. The first thing I want to do, which will come as a surprise to some members across the way I'm sure, is to thank the Minister of Municipal Affairs and Housing, because during second reading debate I had raised two issues with him that were of importance to my community of Hamilton-Wentworth, as one of the partners in GO Transit, and at the end of the day both those requests have been met. I do appreciate that. Indeed, he offered up verbally, while I was on the floor and in discussions that I had with him off to the side, that he would do that. He has honoured his word, and on behalf of the people in my community, I appreciate that.

Having said that, I want to say, though, that I am a little disappointed. I realize there was unanimous consent, so my party agreed also, but in wanting to confirm all of that, because I don't sit on that committee, because we waived the need to have the actual final bill, as amended, printed and in front of us, technically I cannot verify 100% that that was done. I have every reason to believe it was. I have spoken to our members who were on that committee. But as an elected representative with one of the 130 votes to cast in this place — and I raise this as an individual member, not as a member of my caucus — I find it a little unsettling to be speaking and voting on matters that I cannot confirm 100%. In fact, when I checked with the table, I was not able to get a copy of the amendments that

were presented by the government. The Hansards aren't available, we've waived the right to the printing of the third reading debate, and I just want to raise the concern and put on the record that I think this is a dangerous road for us to follow.

It's happening more and more. I realize it means nothing to people who may be watching, but at the end of the day we're supposed to be doing our job in a way that they don't have to follow every minute. The whole check and balance of the parliamentary system is that the opposition is strong enough to protect the rights of minorities and protect the rights of opposing opinions and points of view, and that does become more difficult to do when we don't have the actual law that we are talking about at third reading here in front of us. Maybe that speaks to the day when we have to computerize this place so that those kinds of things are on monitors that are on our desks and can be brought up, which I realize flies in the face of a lot of tradition in this place, but I don't think it's healthy that we've reached the point where it's now a fairly regular occurrence that we will be voting on matters and not have the actual law in front of us to check and confirm the articles that are within that law that we're giving our support to, or for that matter our opposition to. I raise that as a concern.

In fact, I would just take it one step further. Each of us, myself also, both as part of a government and as an individual minister, has introduced bills and moved first, second and third reading in one day when the urgency required, but with the changing of the rules and the frequency with which this sort of thing is happening, it's almost that we're being obstructionist if we're not allowing some kind of quick passage of things. There's a reason that you take at least a fairly measured approach to passing laws, because of the implications they have for 11 million citizens. You've changed the law now, and I believe within six legislative days you can, with absolutely no ability for us to stop you, pass any bill that you choose to use your majority to support — six parliamentary days. There is nothing, not a power on earth, that can legally or legislatively stop you from passing a bill. That seems to me to be quite adequate enough, if not too much. There's no ability for us to stop or slow down that process if you decide to use all the tools you've given yourself under your new rules.

In the interests of fairness, because I'm raising this as a parliamentarian, the Liberals are guilty of starting down that road, we are guilty of walking down that road and you are guilty of taking us further down that road. I hope that whatever the result of the next election is, the 37th Parliament, be it a majority government, a new government or a minority government, would look very seriously at where we are as a Parliament in the process of enacting laws, because I think there's a lot of room for improvement. That's not meant to cast negatives only at the government, although you've taken us much further than anyone ever thought, but we've got some of that guilt to bear too and so do the Liberals. I would hope that each of us as individual parliamentarians, or those of us who are lucky

enough to be returned to the 37th Parliament, would indeed look at this in an objective fashion, recognizing that more and more we're not giving the kind of analysis to laws and taking the time for the democratic input that we have an obligation to, based on the democratic traditions of this place.

2310

Having said that, there are two areas that affect my community of Hamilton-Wentworth that have changed as a result of the committee hearings. One is very important, the other one not as important, but it means a lot to us in Hamilton.

The first area involves section 10 as it relates to section 4. Those two parts of Bill 56 had the effect of denying Hamilton-Wentworth the right to vote on the chair of the new board and the new authority, the board for the greater Toronto services area and the Greater Toronto Transit Authority. The transit authority, of course, is crucial to us, because we are part of the GO system. I understand that it wasn't anything deliberate, at least there's no evidence to that, and I haven't made that accusation. But indeed the end result was, and part of it says, and I'll just read it again for the record:

"4. The board shall be composed of,

"(a) the chair of the council of each regional municipality, other than the regional municipality of Hamilton-Wentworth...."

It goes on in the same vein in a number of places to exclude Hamilton-Wentworth. We are excluded from the services board because we are not part of the GTA proper. That might not have caused as big a concern in and of itself; however, if you're part of a body, you ought to have the full rights that everyone else has. But clearly when it came to the transit authority, the new authority governing GO, to leave us out of the voting procedure for choosing the chair was totally unacceptable. That has been resolved, and Hamilton-Wentworth has now, through our regional chair, been given our full rights on the board to participate in the vote for a new chair. Again, I do offer my thanks to the minister for acknowledging this oversight and also following through on his commitment to correct it.

The second area — and I remember when I spoke to it I said that it bordered on trivial but it mattered to us in Hamilton — was that we were going from the name "GO Transit" to "GT Transit," GO Transit being Government of Ontario Transit, GT Transit being Greater Toronto Transit. The fact is that we are not part of the greater Toronto area in Hamilton-Wentworth. We are, however, an equal partner in GO Transit, and by changing the name from GO Transit to GT Transit, we were being denied the recognition we deserve as being a full partner of this urban transit system.

I was pleased that again the minister acknowledged that, since he was a member of the founding board, he was rather partial to the term "GO Transit." It wasn't the same motive that I had, but there was a meeting of the minds, and he said he would look at it. Indeed, it's my understanding — again, I can't verify it, because I don't have the final printed bill — that we have moved away from the

notion of GT Transit and gone back to GO Transit being the name of the system, which I think is quite appropriate. I won't go any further into that; I did at greater length under second reading. But since it has now been, to the best of my knowledge, corrected, I don't need to go any further other than to again thank the minister on a personal level on behalf of Hamiltonians for recognizing that we have enough trouble keeping our identity where it needs to be in the shadow of the GTA, and this took us down the wrong road in the wrong direction. By keeping it as GO Transit, Government of Ontario Transit, we feel we have been acknowledged in terms of our rightful full partnership in this major urban transit system.

Moving on from all those rare niceties to what's really going on here, as my colleague the member for Cochrane South has pointed out, this is very much about the downloading. This is about taking responsibilities off the books of the province and downloading them, and, quite frankly, downloading them anywhere. They really don't care where. If it's easier for them to download to municipalities, that's what will happen. If there's an opportunity for them to sell a potentially profitable provincial service to one of their corporate pals, that's the road they'd like to go down and, in this case, create some other unique entity that is much more municipal than provincial but get it the hell off their books. That's all that matters, because at the end of the day, as we know, they want to be able to stand up and say, "We did the 30% tax scam, and we cut all these regulations, and we got government off your back," and all that other nonsense that, unfortunately, enough people buy into that they are able to get political support for it, when we know that all they've done is shift, they've squeezed the juice in the orange.

Those costs that they can say they've saved, especially for their wealthy friends but even the couple of bucks that the average middle-class working family might see because of their 30% tax scam, are more than made up for by the fact that their property taxes have gone up or user fees have gone up in how many cases? Talk to seniors about the drug plan, talk to people in municipalities about recreation services, library services, where the services have been either cut back or there has been the introduction of or increases in the user fees that citizens have to pay for services that before either were covered off by their general taxation, provided by the provincial government through their income tax system or were lower, nominal user fees.

This is no different. In my community of Hamilton-Wentworth, as a result of your downloading procedure, we're out a total of \$36.3 million.

Mr Gilchrist: No, you're not.

Mr Christopherson: The member for Scarborough East says: "No, you're not." I want to bring to his attention once again — and how many times have I had to do this? — the numbers I am using when I talk about the downloading.

Mr Gilchrist: How much has your welfare gone down this year, Dave?

Mr Christopherson: Do you want to listen for a second, and then I'll listen to your heckle. How's that?

Mr Gilchrist: All right. OK.

Mr Christopherson: All right? Listen to what I have to say for just 60 seconds, and I'll listen to your heckle.

Mr Gilchrist: I'll wait.

Mr Christopherson: All right. These numbers were taken from a regional document. This is a photocopy of a document that was sent out to all the taxpayers in Hamilton-Wentworth. It lists the net loss in our community of services and costs that were downloaded to us and offset by any monies taken off the education portion of the property tax bill. It nets out to \$36.3 million in the hole for us. The person who oversaw the compiling of this, the CAO for the region, is exactly the person you just hired to be the new Deputy Minister of Municipal Affairs.

So if you want to suggest for a moment that these numbers are rigged or that there's incompetency, then you'd better stand up and address the fact that that's the very person you saw fit to hire as the Deputy Minister of Municipal Affairs, a decision, by the way, which I applaud you for, because I think he's one of the finest bureaucrats and one of the finest public servants the province has ever seen.

Now I'll listen to your heckle.

Mr Gilchrist: You're out of touch. That was as of January 1. What has happened to your welfare costs since then? If you want to talk apples —

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Mr Christopherson: Listen, I sat in on the original discussions around determining these when we were in government, and I can tell you that that's another shell game, because one of the difficulties in this, and I'm sure your folks went through it when they were on the Who Does What panel, one of the difficulties in doing the calculations was deciding at what point in time you would draw the line to do the comparisons, because if you did it, obviously, before the recession of the early 1990s, your social service costs would be much lower than they were in the height. So the provincial government, as one side of the bargaining table, had a desire to have the line drawn at one point in time that was far different from how the municipal politicians saw it. To take these numbers and say, "Where are we now?" doesn't work because you have to look at the point at which the decision was made to draw the line and do the comparisons. You have to do that.

That's why quite frankly the member for Wentworth North, one of your backbench colleagues, voted against it, because he at least had the decency to admit publicly that the downloading in Hamilton was not revenue-neutral and that he could not in good conscience support that bill. The fact is that the \$36.3 million is a legitimate figure in terms of the money that we're out.

To make it relevant to Bill 56, one of the new costs that make up the \$36.3 million that we didn't have before is \$3.3 million for GO Transit. GO Transit alone, \$3.3 million of costs that we didn't have before, part of the \$36.3 million that you stiffed us for when you made this

exchange in this downloading. That's one of the reasons you continue to hear so much anger coming out of the community of Hamilton-Wentworth, because when you add on top of that the fact that you also stiffed us on the business education tax — it's a good idea to make everyone the same; it was a bad idea to take eight years to do it. When you took eight years to do it, you discriminated against Hamilton-Wentworth to the tune of almost \$20 million a year. That's our business people, the folks that you purport to care about. You stiffed them in Hamilton-Wentworth.

Further to that, while I'm on it, your new bill that puts the caps on the increases has so damaged downtown Hamilton, which, I would point out to members of the government, is also the official downtown of the entire region — a population base of almost a half a million people. Our downtown is in desperate need of the benefits that they were going to accrue, one of the few that would get some, from CVA, but you bring in this capping and we're going to lose it. In fact, our chamber of commerce, one of the few voices that you listen to in this province, has asked you to exempt us. Silence. You haven't done anything.

There are three issues right off the top: \$36.3 million shortchanged on the downloading; almost \$20 million on the business education tax; and now the further damaging of our downtown core, and Westdale, I would point out, in west Hamilton. Those three measures alone take us back years economically.

We're out \$36.3 million. That has to be made up from somewhere. There are going to be increases in property tax, which there was; there are going to be cuts in services, which there was; a loss of jobs in terms of loss of service in the public sector of Hamilton and our community, which we'd had lots of too; and increases in user fees. We've had all those things, in large part as a result of your downloading.

The point being that, under Bill 56, all you've done in terms of transit and GO Transit in particular — that's what this relates to — is to make sure that they kind of vibrant, healthy future that public transit should have is going to be choked off. Why? Because you've pulled out of all responsibility. You're the more senior level of government. You have more access to money. You have more means of raising money. You have more levers of fairness of taxation if you chose to use them, much greater than a municipality. But now, all of these municipalities working in concert are left to carry the entire load that you've backed away from, that you've dumped on to them. With all of the other things that municipalities are now responsible for, like public and social housing, ambulance services, community services, increased costs for child care, public health services, provincial highways, what's the priority? Where is public transit going to fit in that priority?

I know you don't care, because most of the people who would use public transit are not even on your electoral radar screen, and when it comes to the benefits of public transit, GO Transit, to our environment, you've already

proven the absolute disdain that you have for any protection of our environment in favour of making sure that your corporate pals can run away with the store. So there's nothing here that obviously would show that you would have any trouble with what you've done. But the fact is it's all but the kiss of death for expanding urban transit. Think about it.

In a community like Hamilton-Wentworth, when there are all kinds of pressing priorities, when people would obviously not want their taxes increased if that can be at all avoided, municipal councillors sitting at the council table in the council chamber, having to decide between social housing, when we've got homelessness reaching and declared a national crisis — we've got ambulance services, obviously a crucial emergency human service that has to be there. Child care: Some people, without adequate child care, can't enter back into the workforce. That means so much to so many people. Public health: My God, at the end of the day, what could be more important than public health services? Let's remember, the greatest advancement in health care wasn't technology and it wasn't any new vaccine. The greatest advancement in health care for society was clean water. That's public health. You've now downloaded that back on to municipalities.

When all those pressures are on these councillors, where do you think GO Transit is going to end up in the line-up of priorities? I'm sure for some, who ran on that as an issue, they might be prepared to put it at the top of their list. But I sat on regional council for five years. I can understand, I can imagine the kind of gut-wrenching and soul-searching that individual councillors would have to go through when they had to make decisions about cutting, if you keep going the way you're going, any these of services. Or if there's a modest amount of money to increase, where are they going to put it?

If you see that replicated in every municipality that's a part of this new transit board, guess what? GO Transit likely not only will not expand, but over the coming years is going to have to scramble and beg just to maintain the level and quality of service they now have. I don't believe for a second that's a stretch. Any of you who have sat on your local councils, take into account the changes you've made. Put yourself in the place of those local councillors and ask yourself where GO Transit is going to fit in your ranking of priorities.

Yet it's so important to the advancement of our regional economies, our total economy in all of Ontario. It's so crucial for our environment. It's a quality-of-life issue. It ought to be given a higher priority than they're going to be able to do. What would the answer be? The opposite of this bill. It would be, keep as much of it in the hands of the province as possible because they have more money and more levers of raising money in a fair way to ensure that this gets the priority treatment that it should. You are confining it to the financial scrap heap. It's going to go near the bottom of the list in most communities, and not because councillors want it to, but because they'll have no alternative.

That's a shame, because it's one of the key areas where we can take advantage of our geography, both in terms of the natural geography that we have and the geography in relationship to the major markets that we're within a day's drive of, which has been quite frankly one of the cornerstones of why southern Ontario has been the economic stronghold that it has, and you're treating it in such a flippant fashion. All I can hope is that some government in the future, very soon, will remedy this and get the provincial government back in the game so that public transit, GO Transit and our environment are treated with the respect and given the priority that they deserve.

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The last thing I want to raise in the two minutes I have left is just to point out once again that the government is bound and determined that workers will not only lose as many rights as they can in this province that they've worked for and struggled for over the decade, but that, boy oh boy, God forbid they should ever get any of those rights back. When you took away successor rights to provincial employees under Bill 7, the workers at GO Transit lost successor rights, which means that if you privatize their jobs they don't have a right to seniority, they don't have a right to their grievance procedure, they don't have a right to their wage levels. In fact they're not even guaranteed to be offered back their jobs at a reduced wage; they lose everything if it's privatized.

By moving it into a municipal realm there's the possibility that Bill 7 may not capture those employees so there's a clause in here, subsection 71(8), and it says: "For greater certainty...(b) no trade union that had bargaining rights in respect of any employees of the authority has bargaining rights in respect of employees of GT Transit."

I understand it has something to do with the transition time and whether there's a legal vulnerability. "A legal vulnerability," can you believe it? That's the way it's put, "a legal vulnerability," that they could claim successor rights if you try to privatize this, which unfortunately I suspect is in the cards with some people.

My point is that you took away rights that workers had and when there was any possibility that this group of workers might get those rights back, you put it right in the law to ensure and guarantee and nail home the fact that they wouldn't dare get those rights back. God forbid that workers should have decent rights that they once had.

My last point in this is, for all the great, grandiose things that some members of the government say this board is going to do, it has no teeth, it has no mandate, it's not going to do half the things that they brag about.

The Deputy Speaker: Mr Gilchrist has moved third reading of Bill 56.

Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. The motion is carried.

Resolved that the bill do now pass and be entitled as in the motion.

SOCIAL WORK AND SOCIAL SERVICE WORK ACT, 1998

LOI DE 1998 SUR LE TRAVAIL SOCIAL ET LES TECHNIQUES DE TRAVAIL SOCIAL

Resuming the adjourned debate on the motion for second reading of Bill 76, An Act to Establish the Ontario College of Social Workers and Social Service Workers / *Projet de loi 76, Loi créant l'Ordre des travailleurs sociaux et des techniciens en travail social de l'Ontario.*

The Deputy Speaker (Mr Bert Johnson): Further debate? The Chair recognizes the minister for Mississauga West.

Hon Rob Sampson (Minister without Portfolio [Privatization]): I would simply like to speak in the spirit of the co-operation among the three recognized parties of this House that now exists with respect to this important piece of legislation. I'd like to thank my colleagues in the opposition party and indicate that we have an agreement, I understand, before this House adjourns this evening, that we will complete the second reading of Bill 76 and that the bill will then be ordered referred to the standing committee on social development for two days of consideration next week.

Mr James J. Bradley (St Catharines): Thank you very much, Mr Chairman. At this late hour I'd first like to introduce the chair of Halton and the chair of the region of Durham who are with us this evening. They may want to be acknowledged as being in the public gallery to watch a previous bill but are no doubt interested in all the legislation that we have before us.

I want to say that the key reason for this bill passing this evening — if it does indeed pass as one can never predict what ultimately will happen, but it's supposed to happen — if it does happen this evening, one of the reasons is that the government has agreed to have some hearings in Toronto on this bill here at Queen's Park. The hearings were requested by the New Democratic Party and the Liberal Party so that those who have some concerns or those who wish to indicate support may express those concerns or that support to the committee at this time. We thought it would be inappropriate to have the bill go through without those kinds of hearings, since there were people who had expressed concerns about certain provisions of the bill. With the assurance that has been given by the minister this evening on behalf of the government House leader, we are able to proceed.

This bill has had some debate in this House — perhaps more than some anticipated, but any piece of legislation we have before us almost invariably will find some opponent and there will be some concerns expressed. As members would be aware, Bill 76, the Social Work and Social Service Work Act, 1998, establishes a self-governing, self-funding Ontario College of Social Workers and Social Service Workers, which would report annually to the minister and provide input on regulations. That's very valuable input, because I've always believed that the people who are on the front line of the delivery of any service, particularly in the broad social field, are those

who can best advise governments and in fact legislatures on any new regulations that might be beneficial in terms of improving a system.

The bill would establish and enforce professional and ethical standards, incorporate a complaints investigation process, address discipline, misconduct, incompetence and incapacity and promote standards and quality assurance. The college would communicate with the public, maintain memberships, approve educational programs, issue certificates of registration and revoke, renew or suspend them as necessary. The college will be governed by a council of 21 members, with representation by both social workers and social service workers.

The bill requires anyone who wants to practise in Ontario to register with the college and be subject to its regulations.

The last thing to be mentioned is that a transition council will be appointed to set up the college and prepare for the first elections of the council, which should take place within a year.

There's a pretty good consensus. I understand there are still some who have some concerns about the legislation, but it's a pretty good consensus out there that there will be an opportunity for those people who are in opposition, as I've mentioned, to be heard.

Ordinarily this evening the critic or spokesperson for the Liberal Party, Sandra Pupatello, the member for Windsor-Sandwich, would be addressing the assembly and participating in this. However, as members would know, being a very good friend of Shaughnessy Cohen, who unfortunately passed away suddenly in the House of Commons just yesterday, she is back in Windsor visiting with the family. I know this House expressed its condolences unanimously this afternoon, along with a moment of silence.

Ms Pupatello has asked me to share with you some of her views on this matter. She is supportive of this legislation. She too wants to ensure that there are opportunities, through a couple of days of hearings, for those who are in opposition to express that opposition and suggest any changes that might be made to the bill to improve it in any particular way. I would expect that next week we will see third and final reading of this bill subsequent to those hearings. Whether there are any changes made or not, the government will ultimately have that determination.

We in the Liberal Party are supportive of the legislation that regulates social workers and social service workers and holds them to the highest standards of service delivery. Interestingly enough, it has been social workers themselves, not necessarily people from outside the field of social work, though from time to time there are complaints that have been put forward — as the minister indicated in introducing this bill, there have been opportunities for people to set up a business, if you will, of social workers without the kind of regulatory regime which was felt by all to be necessary to ensure the high standard of work that we want to see.

This bill goes a long way to protecting the public. Remember, social workers work, often, with the most

vulnerable people in our society. They are the people who have access to these social workers.

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We are concerned about certain provisions that have been excluded from the bill that would greatly improve social workers' and social service workers' contributions to the field. Nevertheless, looking at the bill in total, we are still supportive of it. We call on social workers and social service workers to continue to advocate for their clients and speak out against the damage they see that this government's or any other government's policies might do, because they can see it on the front line.

I want to mention that just for a moment, because there have been some pretty disruptive changes taking place to the social services system. Some of those changes have gathered some support in the province; others have been of more questionable value. What I think emerges is the fact that the people who work with those who receive social services are cognizant of some of the problems out there, are cognizant of some of the realities and are able to provide for us some good advice.

Even within the group of social workers we have in this province there's going to be some significant disruption. Some of it is taking place already. I think of my own area of Niagara, where there is a transition taking place, with one level of government assuming responsibility and another level of government relinquishing responsibility for certain parts of the delivery of social services. This could mean some job losses as a result of this. Your social workers will tell you that at a time when we're demanding more and more of them, there appears to be a situation where we could have fewer and fewer social workers who must do more and more in terms of the caseloads that are out there. This often means that the quality of work we can expect cannot realistically be the same as if we had a sufficient number of people to carry out those responsibilities.

In the field of social services, there are many who have found themselves in pretty dire circumstances. Particularly, we are sympathetic to those who are unable to find work or are unable to work, for various reasons, usually attributed to health. Often people have said to me — they mention a few people — "Why don't these people work?" You find out, for instance, that they have some rather significant psychological or mental problems. Of course, the question you ask is, "Would you like to hire them next week?" Usually, they won't take up that challenge, so they begin to understand that though we're not sympathetic to those who would abuse the system or to those who are able to work and should be in the workforce, there are people out there who are not able to participate in the workforce, either for a short period of time or perhaps permanently, because of a disability which may be of a psychological nature or of a physical nature. Very often, that is who the people are who are receiving social services. Unfortunately, there are some who spoil it for others — they are a minority of people — by abusing the system from time to time.

The social workers are there to make those determinations, to help governments, to help administrators to determine what is appropriate in terms of the level of assistance that might be provided and the circumstances that might be applied, and directly they deal with those individuals. Our social workers are there to do everything possible to encourage individuals who are receiving social assistance, and to help them get back into the field of work. You'll find that a substantial majority of those receiving assistance would like nothing better than to be able to fend for themselves. There's a sense of pride when people are able to recognize that as a result of the fruits of their labour, of the work they perform, of the services they provide, they can receive a benefit that isn't received simply because one is in existence.

Social workers play a significant role in that regard, trying to match people with jobs, trying to help them to upgrade their skills, educational and otherwise, to help them obtain employment in various fields and help them to sustain that employment over a period of time by developing the appropriate attitudes and aptitudes to be able to be part of the workforce.

Social workers have played a significant part in the lives of people in this province. It's a profession about which one can be justifiably proud. I myself know many social workers who have worked with people. They've given good advice, they've talked about some of the programs that have been implemented over the years, how they can be improved, which ones may be working, which ones may not be working. They have provided a kind of guidance that very vulnerable and sometimes desperate people need at a certain time.

There are even social workers now, because of the changing circumstances in the school system, who are assigned to schools. Back many years ago, when most of us were in school, that was not the case, but today social workers are often attached to specific schools, often secondary schools but sometimes elementary schools.

In addition to that, they're often working within a health care setting or a hospital setting where you have social workers who can provide advice, counsel and assistance to people, usually trying to get them back into the mainstream, and if they are unable to get back into the mainstream, to find the best way possible to assist those people. I think there's a pretty good consensus in this province that we want to provide assistance in a generous nature to those who are genuinely unable to fend for themselves, and social workers assist us rather significantly in doing that.

When they come forward asking for this legislation, and they've asked for it for a number of years, it has come to fruition I think because there is a consensus that has built up, there is an acceptance by the three political parties represented in this Legislature, that we should have this legislation. There was less inclination, I might add, in terms of the education profession to have a College of Teachers established. There is more of an inclination, more of a request, in this case, which is why we've moved rapidly in this fall session to proceed with this legislation.

We should listen to the counsel that has been provided. Some of the individuals are in the gallery tonight. Some have been with us on previous days. Others have corresponded with us or helped us out with briefs they have provided on the need for legislation of this kind.

These people are concerned about quality assurance, concerned about respectability in terms of the respect people would have for those in the social work profession. Because, and I underline that again, they work with very vulnerable people, we want to ensure that the quality and standards are of the highest level. It is the organization itself that wants to see this. It is not as though we are imposing it from outside. It's not as though there is a myriad of complaints that have come in about social workers. It is their desire to see the highest standards implemented, and for that reason I think we should be proceeding with this legislation.

We have been able to extract from the government, in this case, a couple of days of hearings. I wish that were the case with a couple of other bills we've discussed this evening. The Greater Toronto Services Board bill was put through without the opportunity to have hearings, which would have been helpful for people who wanted to appear before a committee of the Legislature in a very public way to present their views, and on the other legislation that was before us, Bill 70, turning over to the private sector the ownership and operation of a major highway in this province.

Where I want to be commending in my remarks is to the government for acquiescing to the opposition requests that we have hearings on this bill, but I also take the opportunity to join in the legitimate criticism that was offered by some of my colleagues, including the member for Scarborough-Agincourt, about the fact that people who are interested in another bill, the Greater Toronto Services Board bill, didn't have that opportunity, and those interested in the Highway 407 bill also didn't have that.

Here we are in the dying days of the session. We have another week of sitting until midnight. I don't know how productive that is. I guess it's productive in terms of numbers. I don't know how productive it is in terms of debate. I notice the member for St Catharines-Brock nodding. I don't know whether he's nodding in agreement or nodding off at my speech, but he would know that at this time of night it is difficult.

I am also cognizant of the fact that the clock up there may not be the same — the Speaker will tell me — as our watches are this evening. For that reason —

Mr Gilles Bisson (Cochrane South): It is 12 of the clock, Jim.

Mr Bradley: It is close to 12 of the clock, so in conclusion, I want to say that we wish to proceed with this bill to the hearings. I want to see a vote on it this evening. I think we've agreed to have a vote on second reading this evening. We will go to committee. We'll see what happens at committee, the political parties and individuals, to determine how they're going to vote on third reading as a result of those hearings. That's as the system should operate.

Mr John Hastings (Etobicoke-Rexdale): What about Conrad Black?

Mr Bradley: The member for Etobicoke-Rexdale has said I managed to make it through a speech without mentioning Conrad Black. I just thought I'd mention his name this evening, because I'm as concerned as you are, I know, member for Etobicoke-Rexdale, that Mr Black now owns, the last I saw, some 58 of the daily newspapers in Canada and exercises some significant control over those newspapers.

Mr Sean G. Conway (Renfrew North): Jimmy, I thought the better news is that the Quebec separatists now own the Toronto Sun.

Mr Bradley: That in itself is interesting, that the particular group which purchased the Toronto Sun, that family, has been known for its partiality towards the separatist cause in Quebec —

Mr Conway: Among other rather colourful issues.

Mr Bradley: — and others that we shall not discuss this evening.

My good friend the Speaker, as always, has done an outstanding job this evening in presiding and —

Mr Conway: Staying awake.

Mr Bradley: Staying awake is always a challenge at this time of night. I want to commend our Speaker for the job he has done this evening, yeoman's service, overtime and all of that, for helping us out.

To those who have joined us in the gallery tonight, we welcome you and we believe the news is going to be good for you and ultimately for all the people of Ontario.

The Deputy Speaker: Comments and questions? Are there any members who wish to participate in the debate? If not, the minister or the parliamentary assistant.

Mr Bisson: Hey, further debate.

The Deputy Speaker: No, I'm sorry. I have finished. I have called on the government to wind up.

Mr Frank Klees (York-Mackenzie): Thank you, Speaker. I rise to express my relief, I suppose, at the fact that we are resuming debate on this bill. It was unfortunate that we weren't able to conclude yesterday evening. It seemed as though there was going to be some difficulty in moving forward with this bill, but I want to take this opportunity once again to commend those individuals within this province who have been working for a number of years to bring this legislation forward.

We feel very strongly that it's timely that this legislation be passed. I'd like to acknowledge Mr Dan Andreae, who is in the gallery tonight, who single-handedly probably was responsible for getting this legislation back on track, he along with his colleagues.

I know that the hour is getting late and the vote must be taken, so I won't interfere with that process other than to say that we too look forward to having this bill pass this evening, that we move it on to committee from here and that we get on with the business of getting this legislation into the books of this province before we rise for our break.

Speaker, I thank you for the opportunity to address this Legislature on this important piece of legislation and we ask you to call the vote.

The Deputy Speaker: Mr Klees has moved second reading of Bill 76. Is it the pleasure of the House that the motion carry? It is carried.

Shall the bill be ordered for third reading?

Mr Klees: Speaker, I would ask that the bill be referred to the standing committee on social development.

The Deputy Speaker: The bill shall be referred to the standing committee on social development.

It being almost 12 o'clock, this House stands adjourned until 1:30 of the clock on Monday.

The House adjourned at 2355.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Downsview	Castrilli, Annamarie (L)	Lawrence	Cordiano, Joseph (L)
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Fort York	Marchese, Rosario (ND)		
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Niagara South / -Sud	Hudak, Tim (PC)	Sault-Sainte-Marie	Martin, Tony (ND)
Nickel Belt	Morin, Blain K. (NDP)	Scarborough-Agincourt	Phillips, Gerry (L)
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Ottawa Centre / -Centre	Grandmaître, Bernard (L)		
Ottawa East / -Est	Guzzo, Garry J. (PC)	Sudbury	Bartolucci, Rick (L)
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Port Arthur			
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Prescott et Russell		Windsor-Riverside	Lessard, Wayne (ND)
Prince Edward-Lennox-		Windsor-Sandwich	Pupatello, Sandra (L)
South Hastings /		Windsor-Walkerville	Duncan, Dwight (L)
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	Conway, Sean G. (L)		
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Riverdale		Yorkview	Sergio, Mario (L)
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St Catharines-Brock			
St George-St David			

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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of Ontario**

Second Session, 36th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 14 December 1998

Lundi 14 décembre 1998



Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 14 December 1998

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 14 décembre 1998

*The House met at 1332.
Prayers.*

MEMBERS' STATEMENTS

PREMIER OF ONTARIO

Mr Rick Bartolucci (Sudbury): As you know, Mike Harris was in Sudbury last Thursday evening for a PC fundraiser and on Friday an editorial appeared in the Northern Life with the headline "Why Won't Mike Harris Talk to Us?" Mike Harris has the gall to come into Sudbury and take out several thousands of dollars but he won't spend time talking to the media, talking to Northern Life. We in Sudbury think that's an insult, but it isn't surprising when you consider that in reality Mike Harris doesn't talk to very many people across Ontario. What he does is take a jar of loonies around and visit from place to place, and he talks about loonies. One person in Sudbury reminded me this week that it would only be a loonie who would take a jar of loonies around.

The reality is that it is surprising that the Premier of the province won't talk to the people he is supposed to lead and represent. Why won't he talk to the Northern Academic Health Science Network and assure them that their funding will be in place so that there won't be a doctor shortage across the north? Why won't he talk about cancer care funding? Why won't he commit to ensuring that there is enough money for cancer care in Ontario? He hasn't made that commitment to date.

Why won't he talk about the need for the Ministerial Travel Accountability Act so that, without question, one never has to worry about the reputation of the cabinet of this province, and why won't he talk to the nurses about a bill of rights?

Mike Harris is happy to take money out without giving anything back.

GOVERNMENT ADVERTISING

Mr Peter Kormos (Welland-Thorold): This Harris government will use and abuse taxpayers' dollars every which way it can when it comes to advancing their own partisan interests.

We know that the \$600,000 payout of hush money that was forced on to the taxpayers of Ontario by the members of the government side of the Board of Internal Economy follows on the heels of an orgy of spending to the tune of millions of dollars. The meter's running and it's almost

\$50 million of taxpayers' money now that this gang here at Queen's Park has spent on incredibly partisan, clearly partisan, radio, television, newspaper and pamphlet advertising.

Where I come from the people can see through it; it's as transparent as all get out. They're sick and tired of having their taxpayers' dollars picked from their pockets so that Harris and his gang at Queen's Park can employ high-priced ad firms for glossy, slick ads — the furthest thing from the truth. The people know that the content of that advertising has no more relevance than the hype and spin that would accompany a new laundry soap or a new brand of toothpaste.

Most recently, the Tories admitted blowing \$19,000 on focus group testings for a series of posters, the results of which resulted in zip, zero; \$19,000 spent on more of the Tories' friends in the consulting industry.

Some Tory backbenchers have criticized the \$600,000 payout. What have they got to say about the \$50-million expenditure on partisan advertising by this government? It's time for them to stand up and speak out.

HEALTH CARE FUNDING

Mr Ted Arnott (Wellington): In recent days, the provincial government has recognized the health needs of people in Wellington and Waterloo region and has responded with a healthy infusion of new funding and a commitment to significantly enhance local health services.

Last week, the Minister of Health announced almost \$800,000 in new funding for our three hospitals in Wellington: Louise Marshal in Mount Forest; Palmerston and District and Groves Memorial in Fergus. This extra funding will assist the hospitals with their operating budgets.

In addition, as part of a \$39.2-million investment, a new cardiac care centre and a cancer centre will be established in Waterloo region. The minister has also approved a magnetic resonance imaging, or MRI, machine for Grand River Hospital.

With these new services, patients will receive earlier diagnosis and be able to receive better and more timely treatment closer to home.

In its editorial on December 5, the Kitchener-Waterloo Record wrote, "Waterloo region's response to health minister Elizabeth Witmer's decision to locate a cardiac care centre here should be straight from the heart: appreciation and relief."

Although the opposition parties have been saying that health spending in Ontario has been cut, this is simply not the case. Since 1995, when the current government assumed office, health care spending has increased by some 8.5%. The truth is, the only government to cut health spending has been the federal government.

I want to publicly thank the Minister of Health for the dedication, competence and integrity she has brought to her job and the impressive results she has achieved.

EDUCATION FUNDING

Mrs Lyn McLeod (Fort William): Last week, I asked the Minister of Education why they were once again forcing teachers into the rushed purchase of equipment; in this case, 10 days of time given to teachers to purchase \$10 million worth of science equipment for the secondary school curriculum. Somewhat to my surprise, it seems the Minister of Education was not aware they had launched this new buying spree for school equipment. The minister's answer said that the secondary purchase is not yet underway, that the materials being purchased are at the elementary school level.

This government is rushing headlong into another fiasco with its spending of taxpayers' money, much like the fiasco in spending money on textbooks last spring when teachers had all of 10 days to two weeks to choose their materials, and yet the minister didn't even know that they were launched into it. It is incredible. You wonder who indeed is running the show over there.

There is even confusion now about exactly what curriculum teachers are supposed to buy the equipment for. The ministry's document said it isn't for the new curriculum, that it matches the old curriculum but should be usable with the new curriculum. Teachers are being told it's not for the new curriculum. No wonder, because teachers haven't seen the new curriculum yet, so how can they know what equipment to purchase to go with a curriculum they haven't even seen yet?

Voices from trustees to teachers, to parents even who are calling for reform, are now saying: "Slow down, government. Don't implement this curriculum until you can get it right. Stop making guinea pigs of students for your public relations purposes." They should delay the introduction of the secondary school curriculum.

1340

RIVERDALE HOSPITAL

Ms Marilyn Churley (Riverdale): Everybody here knows about the decision by the government to close down Riverdale Hospital, where 435 people who need chronic care live. They are chronic care patients. As of today we still have not heard back from the minister as to whether or not the hospital is going to be granted its request to, at the very least, get an extension on the closing date.

I know both the Minister of Health and the Minister of Long-Term Care met with the hospital staff recently, the hospital president, and these issues were discussed. It's

my understanding that at that meeting the Minister of Health expressed concern about the patients there and led the staff to believe there would be a plan put in place which would include at least an extension of the closure date for that hospital to between 2003 and 2005, instead of 15 or 16 short months from now.

The staff there and the patients also want a guarantee that should the hospital be closed — and I hope it won't — the chronic care patients who are there will have an absolute guarantee of a place for them to be if they're ineligible for long-term care, which I can assure you most of the patients living at Riverdale Hospital will be.

I see the Premier has just entered the chamber. I have talked to the Premier personally about this issue and very much want to say to him today, and to all government members, Christmas is coming. Before we leave this House on Thursday, let's have a guarantee for the patients at Riverdale Hospital.

GALE MOSSMAN

Mr Steve Gilchrist (Scarborough East): I rise today to recognize the efforts of Gale Mossman, chair of the board of directors of the Rouge Valley Health System. Gale is the first person to hold this position as a result of the amalgamation earlier this year of the Ajax and Pickering hospital and Scarborough Centenary Health Centre. Like our government, Gale is determined to ensure that the residents of the eastern GTA receive the best possible health care.

Since taking office, our government has provided millions of dollars in additional funding to Centenary and Rouge Valley, well beyond the funding levels of the previous governments. In two years, over \$3.2 million has been provided to reimburse the hospital for the cost of restructuring, which was approved by both the boards and supporters of the two hospitals.

The funding is part of a five-year, \$2-billion commitment to support the reform and modernization of Ontario's hospitals. The Centenary site of the Rouge Valley Health System has been designated as a regional pediatric centre for Scarborough and western Durham region. Centenary will be receiving a portion of the \$186 million announced towards renovation and new construction of 15 hospital sites in Toronto. Centenary's share will go towards improvements to the neonatal intensive care unit to provide the best specialized care for the youngest members of our society. Just last week, another \$6.8 million in supplementary funding was given to Rouge Valley. All these investments in our community demonstrate that our government is truly committed to the improvement of health care delivery.

I congratulate Gale Mossman and her board of directors for the efforts they're making to ensure that the residents of Scarborough and Durham benefit from our government's health care reinvestments, and I thank them for their continuing advocacy on behalf of the residents of my community.

MINISTRY OF TRANSPORTATION

Mr Mike Colle (Oakwood): If you're thinking of purchasing a used car privately in Ontario, be very careful, for it is much too easy for car thieves to register stolen vehicles at Ministry of Transportation offices. The Ministry of Transportation makes it easy for car thieves to get stolen cars registered with no questions asked and then they are given all the documents which seem perfectly legal to the unsuspecting purchaser.

But beware, for in Ottawa, for instance, even the police bought a stolen vehicle. Thirty-five cars a day are stolen in Toronto alone — yes, every day — and then they are easily reregistered at your local Ministry of Transportation office and then sold to the unsuspecting Ontario public. Yes, the Ministry of Transportation helps these car thieves launder stolen cars by not asking any questions, not closing loopholes and by basically rubber-stamping documents for car thieves.

If you are thinking of buying a used car privately, be very careful and ask a lot of questions, for this government refuses to even acknowledge there is a problem. They say everything is fine. This ministry is not doing its job and the poor unsuspecting Ontarian buying a stolen car gets shafted as the car thief and the provincial government tell us all, "Everything is just fine; everything is OK."

Ministry of Transportation, wake up, do your job, protect the Ontario public.

HOSPITAL FUNDING

Mr David Christopherson (Hamilton Centre): While the government backbenchers continue to mouth the mantra that all is well in health care, I will continue to bring to the attention of this government the fact that health care in Hamilton is suffering badly.

Just a few weeks ago, I raised with the House the issue of the headlines on the front page of the Hamilton Spectator that said, "Hospitals Crippled by Huge Deficit: Patient service cuts likely." That was as a result of your cutting funding to our hospitals. On Friday, the headline in the Hamilton Spectator was, "Major Hospital Layoffs Ahead: Job cuts coming early in the new year." There are 8,000 workers at the Hamilton Health Sciences Corp. Almost one in four is likely to lose his or her job.

When we lose front-line service jobs in health care, that means service is cut. If you don't get it, it means that health care services in Hamilton are going down the tubes because of what you're doing. You've left the Hamilton Health Sciences Corp over \$36 million short this year alone. When your minister came into town and announced the funding for her restructuring plan, which we didn't ask for in the first place, we're going to be left paying a bill of almost \$70 million. All of this is on top of the Chedoke emergency ward shutting down and St Peter's Hospital losing its status as a full-care chronic care hospital. The added insult was when St Peter's received not one long-term-care bed.

Shame on you, Harris. You're killing our health care system.

WOMEN'S SHELTERS

Mr Toni Skarica (Wentworth North): The fourth annual Judge Albert Marck memorial fundraiser for women's shelters was held the first week of December. This fundraiser raises monies that are donated to women's shelters in various locations throughout Ontario, including Hamilton. The fundraiser is the brainchild of Hamilton barrister Anthony McCusker and has become a great boost to shelters for abused women and their children across Ontario.

OnTV is a vital partner and airs a series of mock bail hearings to advertise these fundraisers. Talk 640 and Q107 have joined OnTV in promoting these fundraisers. In 1997 alone, these radio stations donated \$10,000 worth of promotional air time.

In 1995, OnTV and Mr McCusker raised \$2,500 for Inasmuch House in Hamilton. In 1996, \$6,300 was raised for Interval House and Martha House in Hamilton. In 1997, the fundraiser, along with OnTV, went province-wide and \$30,000 was raised in one night in 1997.

OnTV received the Television Station of the Year Award from the Ontario Association of Broadcasters for its participation. Mr McCusker was nominated as a finalist for Hamilton's Citizen of the Year Award.

This year, broadcaster Matt Hayes, Hamilton Tiger-Cat football players Darren Flutie and Danny McManus, and myself participated in a series of mock bail hearings which were aired on OnTV on December 1 through 4, 1998. A record \$35,000 was raised for 10 women's shelters.

I would like to congratulate all involved for their participation.

INTRODUCTION OF BILLS

EDUCATION AMENDMENT ACT
(MOULD CONTAMINATION IN
PORTABLE CLASSROOMS), 1998LOI DE 1998 MODIFIANT
LA LOI SUR L'ÉDUCATION
(CONTAMINATION PAR LA MOISSISSURE
DANS LES CLASSES MOBILES)

Mr Wildman moved first reading of the following bill:

Bill 98, An Act to protect the health of pupils and teachers against the effects of *Stachybotrys atra* mould in portable classrooms by making amendments to the Education Act / Projet de loi 98, Loi visant à protéger la santé des élèves et des enseignants contre les effets de la moisissure *Stachybotrys atra* dans les classes mobiles en apportant des modifications à la Loi sur l'éducation.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Mr Bud Wildman (Algoma): The bill requires school boards and operators of private schools to conduct regular invasive testing and inspections for *Stachybotrys atra*

mould contamination in portable classrooms. If mould contamination is found, it must be cleaned up or the pupils must be moved to another classroom.

BALANCED BUDGET AND TAXPAYER PROTECTION ACT, 1998

LOI DE 1998 SUR L'ÉQUILIBRE BUDGÉTAIRE ET LA PROTECTION DES CONTRIBUABLES

Mr Harris moved first reading of the following bill:

Bill 99, An Act to ensure that the Provincial Budget is a balanced budget, to protect taxpayers against tax increases and to establish a process requiring voter approval for proposed tax increases / Projet de loi 99, Loi garantissant l'équilibre du budget provincial, protégeant les contribuables des augmentations d'impôt et établissant un processus d'approbation des projets d'augmentation d'impôt par les électeurs.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1351 to 1355.

The Speaker: All those in favour, please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Grandmaitre, Bernard	Preston, Peter
Agostino, Dominic	Grimmett, Bill	Pupatello, Sandra
Baird, John R.	Harnick, Charles	Rollins, E.J. Douglas
Bartolucci, Rick	Harris, Michael D.	Ruprecht, Tony
Bassett, Isabel	Hodgson, Chris	Sampson, Rob
Boushy, Dave	Hoy, Pat	Saunderson, William
Caplan, David	Jackson, Cameron	Shea, Derwyn
Carr, Gary	Johns, Helen	Skarica, Toni
Carroll, Jack	Johnson, Bert	Smith, Bruce
Clement, Tony	Johnson, David	Spina, Joseph
Colle, Mike	Kennedy, Gerard	Sterling, Norman W.
Cordiano, Joseph	Kwinter, Monte	Stewart, R. Gary
Crozier, Bruce	Leach, Al	Tilson, David
Cunningham, Dianne	Leadston, Gary L.	Tsubouchi, David H.
Curling, Alvin	Marland, Margaret	Turnbull, David
Danford, Harry	Martiniuk, Gerry	Vankoughnet, Bill
Doyle, Ed	McGuinty, Dalton	Wettlaufer, Wayne
Duncan, Dwight	McLeod, Lyn	Wilson, Jim
Ecker, Janet	Newman, Dan	Witmer, Elizabeth
Elliott, Brenda	O'Toole, John	Wood, Bob
Eves, Ernie L.	Parker, John L.	Young, Terence H.
Galt, Doug	Patten, Richard	
Gilchrist, Steve	Phillips, Gerry	

The Speaker: All those opposed, please rise one at a time and be recognized by the Clerk.

Nays

Boyd, Marion	Hampton, Howard	Silipo, Tony
Christopherson, David	Marchese, Rosario	Wildman, Bud
Churley, Marilyn	Martel, Shelley	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 67; the nays are 8.

The Speaker: I declare the motion carried.

Hon Michael D. Harris (Premier): The bill enacts the new Balanced Budget and Taxpayer Protection Act, 1998. Beginning with the 2001-02 fiscal year, the executive council must plan for a balanced budget and the Minister of Finance must present a balanced budget to the assembly.

Just a few little highlights: If there's a deficit, the salary payable to members of the executive council under the Executive Council Act is reduced. The new rules on taxpayer protection are established with respect to tax increases and new taxes. Before a tax rate can be increased or before a new tax can be imposed and before the authority to tax can be given to another person or body, there must be a referendum authorizing it.

I have a statement on this for later and I'll explain more fully at that time.

TOBACCO CONTROL AMENDMENT ACT, 1998

LOI DE 1998 MODIFIANT LA LOI SUR LA RÉGLEMENTATION DE L'USAGE DU TABAC

Mr Gilchrist moved first reading of the following bill:

Bill 100, An Act to amend the Tobacco Control Act, 1994 / Projet de loi 100, Loi modifiant la Loi de 1994 sur la réglementation de l'usage du tabac.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Mr Steve Gilchrist (Scarborough East): This bill amends the Tobacco Control Act, 1994, to make it an offence for a person under 19 years of age to purchase or be in possession of tobacco. This bill will hopefully address a very serious problem out there, a very serious health care concern.

At the same time the bill will also make another change to the existing Tobacco Control Act. At present, no person is allowed to sell or store tobacco in a place where a person has committed two tobacco sales offences. This bill will provide for an exception for a person who is not related to the person convicted of an offence. The bill also prohibits the person convicted of tobacco sales offences from selling or storing tobacco in any place of business.

1400

MOTIONS

COMMITTEE MEMBERSHIP

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I move that Mr Cullen and Mr Barrett be removed from the standing committee on social development.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

BALANCED BUDGET LEGISLATION

Hon Michael D. Harris (Premier): It gives me great pleasure today to introduce a bill that, if passed, will ensure that the provincial government never spends taxpayers' dollars recklessly again.

Interjections.

The Speaker (Hon Chris Stockwell): Order.

Hon Mr Harris: The Balanced Budget and Taxpayer Protection Act asks that provincial budgets be balanced. It asks that governments not be able to introduce a new tax or raise a tax unless they ask Ontarians if that is indeed what they want. It asks simply that governments of all stripes treat taxpayer dollars as carefully and as conscientiously as they would their own, and that they not be allowed to spend their way into debt, then casually increase taxes to pay for their spendthrift ways.

We must always remember this money is not our money. It's theirs. It's Ontarians'. It's taxpayers'. And indeed we have a sacred trust to handle it wisely and to handle it well.

When our government took office three years ago, we inherited a situation where we were spending \$1 million more an hour than we were taking in. Since then we have worked hard to balance the budget and we are on target to balance it by the year 2000-01, just as we promised to do.

We cannot condone a situation, and the taxpayers cannot condone a situation, whereby after all the hard work and all the tough decisions of the past three years, future governments could tax and spend and drive that deficit up yet again. This act proposes that beginning with the 2001-02 fiscal year a deficit may only be run in extraordinary circumstances such as natural disaster or war.

Under normal circumstances, this legislation proposes that the budget must balance. If not, there will be personal financial penalties for the Premier and members of cabinet, with up to 50% reduction in their executive council pay. We would be held accountable.

The act proposes that the government receive the voters' permission before introducing any bill that imposes any new tax or increases the rate of personal income tax, corporation taxes, retail sales tax, employer health tax, gasoline or fuel tax, or education property taxes.

This bill is not unreasonable. It simply proposes that governments do what average working families do every day all across Ontario: balance their budgets, pay their debts, spend within their means. Spending within government's means does not mean simply raising taxes and taking away even more money from families' take-home pay. Ontarians deserve more; they deserve better. I know each one of us who pays our taxes, those of us in this Legislature and the working men and women of this fine province, would much rather our tax dollars be spent on health or education or children's services than on

servicing a debt. I know each of us would much rather our children and our grandchildren not be held accountable for the debt of past generations.

The Balanced Budget and Taxpayer Protection Act is the toughest and most comprehensive of its kind in Canada. I believe Ontarians deserve no less, and I hope this bill is deemed to be worthy of all-party support.

Mr Dalton McGuinty (Leader of the Opposition): I am delighted to see that the Premier has finally found religion when it comes to fiscal responsibility.

As I understand it, we are now on a speedy track to be the last province in the Dominion to balance its budget. If this passes, Ontario is going to be the ninth province or territory to bring in balanced budget legislation, and this comes forward from a Premier who's added \$22 billion to the provincial debt. The tax cut alone is adding \$10 billion to the provincial debt. The tax cut alone is adding \$6,000 to each Ontario household; \$6,000 in additional debt to every household in Ontario.

When it comes to fiscal management, this government, after three and a half years, has achieved the same stunning, stellar credit rating as the NDP did during their term of office.

Interjections.

The Speaker: Would the finance minister come to order, please.

Leader of the official opposition.

1410

Mr McGuinty: As I say, I'm delighted that the Premier has found religion. I'm delighted he's caught up with Ontarians when it comes to the importance of balancing the provincial budget, but there are a couple of other areas that I hope the legislation addresses. It's just been handed to us, so I haven't had an opportunity to confirm whether these details are in it, but I am hoping that —

Interjections.

The Speaker: Leader of the official opposition.

Mr McGuinty: I'm hoping in particular that this legislation, for example, would prohibit this government from wasting \$180 million on a contract for US consultants when that work could have been performed for far, far less in-house. I'm hoping as well that this legislation will prohibit this government from spending in excess of \$47 million on political propaganda.

The Premier said in his statement today that the provincial government will never spend taxpayer dollars recklessly again. Then I'm sure that in this legislation there will be a provision forbidding him from spending money on political propaganda and also there will be something in this bill which retroactively denounces and prohibits the expenditure of \$600,000 in connection with the Al McLean affair. If the intent here is to protect the interests of Ontario taxpayers, then surely this bill will address those issues.

Also, it is my hope that this bill will talk about something in the nature of an irresponsible tax cut when we speak to the future, as we understand that public health care in Ontario has been gutted and that we have patients spending nights in hospital corridors, and that we have, in

hospitals to this very day, workers who are burned out and ambulances that continue to be on bypass. Given those circumstances, I would hope of course that this legislation will prohibit irresponsible tax cuts, because it seems to me that a reckless tax cut is just as dangerous as a reckless tax hike.

It's also important that we talk about the \$400 million that has been cut from post-secondary education in Ontario. It seems to me that, given the fact that we are now at the bottom of the pack when it comes to funding post-secondary studies, and everybody recognizes that post-secondary education is the means by which we're going to find success in the 21st century, this government will not proceed with an additional tax cut until it has restored funding to post-secondary education.

I also assume that this legislation specifically says this government will not proceed with an additional tax cut until such time as it restores funding at the primary level for junior kindergarten, and for adult education and for special education and until we have in place the funding formula —

The Speaker: Thank you.

Interjections.

Would the minister responsible for Management Board come to order, please. Thank you.

Responses, leader of the third party.

Mr Howard Hampton (Rainy River): I and my colleagues are opposed to this phony bill and I want to make it perfectly clear why we are opposed.

On Friday, the chief coroner of Ontario brought down a report into the tragic death of Kyle Martyn. In that report the coroner makes some very pointed recommendations. Most of all, what he says is that this government has cut so much money from hospitals that they can't provide the emergency health care the people of Ontario need. At the next opportunity, what does the Premier do? Does he say he's going to address the health care deficit? No. He says he is going to entrench legislation which is going to ensure that we will have continuing health care deficits in this province.

This legislation is completely unbalanced. What it does: It gives a much higher status to a temporary budget deficit and tries to pretend that something called a health care deficit doesn't exist, that an education deficit doesn't exist, that an environmental deficit doesn't exist and that a social deficit doesn't exist in this province.

We've had three reports in the last two months, one by the United Nations, for God's sake, that says that a horrendous social deficit exists in this province, that the gap between the very few who are very rich and the many who are growing poorer grows day by day.

Then we had the report from the Centre for Social Justice which found the same thing: The Harris income tax scheme gives the families at the top of the income ladder an average of \$15,000 a year. Families who are struggling get a whole \$150 a year from the Harris income tax scheme.

Then there's the Golden report on why there are so many thousands of homeless in this province, why

children more and more are going to food banks and why families are going to food banks. What's the priority of the Harris government? To put in place legislation which will ensure these horrendous social deficits, health deficits, education deficits and environmental deficits will continue into the future.

This is completely unbalanced legislation. But it gets worse than that. We have a Premier who gets up and he's going to lecture people on reckless spending of taxpayers' money, a Premier who has borrowed, in the last four years, \$22 billion for no purpose other than to finance an income tax scheme that only benefits the wealthiest people in the province; a Premier who denies hospitals the funding they need while he spends now \$50 million getting his mug on television so that he can tell people they should vote for him in the next election, all paid for by taxpayers' money; a Premier who's prepared to give \$180 million to a corporation, Andersen Consulting, that has been disgraced in jurisdiction to jurisdiction, not just in Canada but across North America.

Then he's going to lecture on spending, when you're going to spend, squander, \$600,000 of taxpayers' money for a private sexual harassment scandal that has absolutely nothing to do with the government or the taxpayers of the province. Shame on you.

But, Speaker, it gets worse than this. I put it to you and I put it to all the citizens of Ontario that what this is about is ensuring that in the future, when it comes to a contest between not having a temporary financial deficit and having good health care, good education, environmental protection and good communities, health, education, environment and communities will always lose.

Alberta: This government likes to talk about its friend Premier Klein in Alberta. Alberta today is going to shave \$200 million off health care. It's going to cut money from child services, people with developmental disabilities, social assistance, and generally children's programs. Why? Because they might be faced with a temporary \$200-million deficit this year.

That's what this is about. You put this legislation in place and forever health care, education, the environment, the strength and the productivity of our communities will be in last place. I think the people of Ontario deserve better. I think the people of Ontario want a better health care system, a better education system.

1420

ORAL QUESTIONS

EMERGENCY SERVICES

Mr Dalton McGuinty (Leader of the Opposition): I have a question for the Premier. When Kyle Martyn showed up in the emergency room back in February, he met with circumstances there that prevail in hospital emergency departments right across the province: That emergency room was crowded, there was a backlog of patients, ambulances were being redirected because they

couldn't handle the load, there were no beds available, and there were burnt-out nurses working there.

There was a coroner's jury that looked into those particular circumstances and they placed the blame for those circumstances squarely on you and your government. They said that health care in Ontario is being compromised through underfunding. Will you stand up now, Premier, and accept responsibility for compromising health care in Ontario, for compromising the health care of Ontarians as a result of your underfunding?

Hon Michael D. Harris (Premier): I know the minister can respond.

Hon Elizabeth Witmer (Minister of Health): I think we need to keep in mind the very tragic situation that we have been dealing with, and I think it's important that we not further politicize or prolong that situation.

I had an opportunity personally on Friday, after the recommendations came forward, to meet with my staff here and determine how we would work with the Ministry of Health, the Ontario Hospital Association and also the Credit Valley Hospital to ensure that we could follow through on the recommendations in order that this situation would not occur again for any other family. I hope that it would be your wish as well, Leader of the Opposition, that you would work with us to ensure that those recommendations can be implemented.

Mr McGuinty: The solutions have been staring you in the face, Minister, for a long, long time. You cut \$800 million from our hospital budgets. As a result, you created the kinds of circumstances that I just described, the kinds of circumstances that Kyle's parents had to face when they went to the hospital back in February.

You had a report prepared. It came out in April. That report specifically said the solution lies in putting some money back into the system and opening up some long-term-care beds. You said you were going to do that immediately. You waited six months before you came up with the money. It's been eight months now and not a single long-term-care bed has been opened, against the recommendations of that report, which specifically said you've got to open them up right now.

You said you were going to address these recommendations. In the paper on the weekend, you said you were going to address them immediately. It took you six months for the money. It's eight months now and there are no long-term-care beds yet. What does "immediately" mean to you now, when you're going to come up and follow these recommendations?

Hon Mrs Witmer: I guess the one way our government has been different from what you did when you were in office is that the problems are the same; however, unlike you, we actually are taking action to ensure that over the long term there is a plan of action to deal with the problems.

I can go back and read the headlines from 1985 to 1990, and we can see headlines that indicate that this emergency room situation is one that has been ongoing. What's different about what our government is doing is that we recognized in 1995 that we had to restructure

health services in order that people throughout this province could have better service, more service. If you take a look at the recommendations the Health Services Restructuring Commission has made —

The Speaker (Hon Chris Stockwell): Answer.

Hon Mrs Witmer: — you will see that in most cases they are identifying the need to expand the emergency wards across this province. I'm also pleased to say —

The Speaker: Final supplementary.

Mr McGuinty: Minister, I'm going to advise that you take the opportunity to look at the recommendations of the jury. The jury says that health care in Ontario has been compromised through underfunding. Objective, arm's-length, third-party, lay people had an opportunity to review the death of a young boy in Ontario. They heard expert evidence. They considered it carefully. Their conclusion was that these circumstances were created as a result of your underfunding. That's what this is all about.

The only thing you have done in any expeditious and efficient manner when it comes to health care was to grab \$800 million and take it out. That's all you've done in terms of efficient and effective action in Ontario health care.

The jury is asking that you act immediately with respect to putting the money back into the system and getting those long-term-care beds up and running. How much longer are we going to have to wait in Ontario for you to do these things immediately?

Hon Mrs Witmer: If you take a look at what the jury actually recommended, it said, "The public expects a certain level of health care, and the provincial government must ensure that it is not compromised through underfunding." The statement is actually a little bit different from what you seem to be saying.

I would submit to you that immediately upon receiving the recommendations on Friday, we took action. We consulted with our partners, we took action within the Ministry of Health, because we don't want to politicize this situation. We don't want to prolong this situation. We want to move forward and we are prepared to move forward on every one of those recommendations. In fact, if you take a look throughout this province, you will see that people in this province have better health services than ever before.

The Speaker: Answer.

Hon Mrs Witmer: There are more and they're closer to home. You will see dialysis closer to home. You will see more MRIs. We have three new cancer centres —

The Speaker: New question, leader of the official opposition.

GOVERNMENT CONSULTANTS

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Premier. I want to speak to you about your \$180-million, wasted expense to US consultants. Today in the public accounts committee we heard that you and your minister were asleep at the switch when it came to the basic provisions of a contract you entered

into. This was the largest contract of its kind in the history of this province. We are told that apparently you weren't even aware, for example, that the contract said Andersen could charge up to \$575 per hour.

The question to you quite simply is, if you didn't know anything about this, didn't you understand that you were effectively signing a blank cheque for US consultants?

Hon Michael D. Harris (Premier): I think the minister can respond.

Hon Janet Ecker (Minister of Community and Social Services): The honourable member knows that we have a technology system in welfare that provides welfare benefits and financial income for people with disabilities, that it's some 30 years old, that it's in serious need of reform. There has been no question about that. It would have been helpful if perhaps their government, when they were there, had started to make some of those changes, but unfortunately they didn't.

We knew the ministry did not have the expertise to make this kind of significant reform. What is also important is that we wanted to make sure we could continue to deliver those benefits to individuals at the same time as we were making those changes. So through an open bidding process, which was actually started under the previous government, the NDP, we went out to seek expertise to make sure we could undertake this reform. The Andersen Consulting company was chosen through the open bidding process, and we have proceeded with those reforms. Taxpayers are protected; there are caps on how much money can be charged. We welcome the recommendations from the auditor about how we can improve the process.

Mr McGuinty: I think the minister actually is defending this contract, 575 bucks per hour for a US consultant for work that could be done in-house for, tops, \$70 an hour.

1430

On top of that — this is how bad it gets — Andersen had charged \$1.4 million out-of-pocket expenses for accommodation, travel and meals, and according to the terms of the minister's contract, no receipts were required. This is a minister who won't trust welfare mothers with a nutrition allowance of \$37 a month because she believes they're going to spend the money on beer, but on the other hand she's prepared to spend \$1.4 million of taxpayers' money for expenses, with no receipts required, no questions asked. Again, Minister, how can you stand up and possibly defend this contract?

Hon Mrs Ecker: We have acknowledged quite clearly that the management of the contract left a lot to be desired; that's why the recommendations from the auditor's report. We have implemented —

Interjections.

The Speaker (Hon Chris Stockwell): Minister.

Hon Mrs Ecker: To the honourable member, I don't know where he thought the expertise to fix this system was going to come from. We went out to get the best we could get, because we knew this was a major reform, an important reform. If he really thinks that kind of reform can be achieved for \$70 an hour, he doesn't know much

about the expertise required to make sure this technology system will indeed work.

The auditor has made recommendations about how to improve the management of that process, because it was mismanaged. We acknowledged that very clearly. That's why many steps have been taken to fix that. We also have an independent review underway that will ensure that none of these things happen again. We welcome any further recommendations the auditor might well have about the management of this contract or further reforms of this kind.

Mr McGuinty: When Andersen Consulting saw you coming, they thought: "Finally our ship has come in. We can get away with absolutely anything in this club. We've got a minister who is not paying any attention to the details."

The details, the fundamental provisions of the contract, apparently were going completely unnoticed. This was a \$180-million contract, the largest of its kind in the history of this province. You told US consultants that they could charge up to \$575 an hour; they could charge \$1.4 million for expenses for food, travel and hotel and you would demand no receipts from them. How can that be, from a government that is so hell-bent on ensuring that we drive towards fiscal responsibility? How could you send \$180 million out the door at a time when you can only afford to pay \$11,484 in welfare to a single mother and her child every year here in Ontario? Tell me the difference between the two and how you justify the former.

Hon Mrs Ecker: First of all, the honourable member might want to try some facts. Nobody has received \$180 million; \$180 million has not, in his words, gone out the door, and if he says that, he knows he is not representing the facts in an accurate fashion.

Second, he also knows that the only payments that went to this company for the reform work they were doing, the only payments this company received, were from the savings that had already been achieved. So no payments were made and no payments will be made unless there are savings.

This is a \$5-billion program. We have already saved, above and beyond anything Andersen has done, \$2.8 billion for the taxpayers of this province. I am proud of that record. It's a substantial savings. That has allowed us to make the reinvestments in health care, for example, in child welfare and in Healthy Babies. It's because of those savings we have found for the taxpayers.

EMERGENCY SERVICES

Mr Howard Hampton (Rainy River): My question is for the Premier. Premier, you will know that on Friday the coroner's office released their report on the tragic death of Kyle Martyn. There were nine recommendations in that coroner's report that were aimed specifically at your government. The coroner's report is very clear. It says that your government has cut so much money from hospitals that they can't provide the emergency health care the people of Ontario need. I'm directing this question to you,

not to the Minister of Health, because again it's very clear that these are the so-called Common Sense Revolution cuts, the cuts out of health care to finance your income tax scheme.

Will you ensure that Kyle Martyn's death will not be in vain? Will you ensure that every one of the recommendations of the coroner's report is put in place now and put in place within the time lines recommended?

Hon Michael D. Harris (Premier): I think the minister should respond to this.

Hon Elizabeth Witmer (Minister of Health): I would ask the leader of the third party to accurately represent what indeed the coroner did say. Again, there were 19 recommendations and nine of those were directed to the Ministry of Health. Others went to Credit Valley and others went to hospitals throughout this province. What they said was that they expect a certain level of health care and must ensure that it is not compromised through underfunding.

Also, in response to action taken, as I said to the Leader of the Opposition, I was in contact on Friday with the family. I did indicate, on behalf of the government, our sympathy to the family. I also indicated that we were responding and moving forward on all of the recommendations immediately.

Mr Hampton: This coroner's report is unlike any other probably in the history of Ontario in terms of going right at your government and making nine very specific recommendations. It condemned your hospital funding formula because it doesn't take into account population growth or the local needs of the community. You like to say that the high-growth areas are getting the hospital funding they need. People in Mississauga and Peel now have the evidence which says that isn't so.

The trouble with your off-the-cuff comment that you're going to do something about this is that you don't have a very good track record as a government when it comes to health care. You're wonderful at making announcements, in fact you're incredible at making announcements, but then we come along five months later, six months later, nine months later, and lo and behold, nothing has happened.

What we need to know — and frankly, I need to know this from the Premier. Premier, we need to know from you that the recommendations are going to be followed and they're going to be put in place now.

Hon Mrs Witmer: I would just remind the leader of the third party that, unlike your government, the difference between what you did and what we're doing is that we are actually taking action. We're developing a long-term-care plan and immediate responses. If we take a look at the funding formula, the reality is we were asked that the Ministry of Health review the funding formula for Ontario hospital operating plans, and we are already doing that at the present time. That is being actively reviewed by the joint Ministry of Health-Ontario Hospital Association Hospital Financial Issues Advisory Group and they will be making recommendations

As you know, they have already made recommendations, and last Thursday we made an additional \$100 million available immediately to hospitals through a transition fund. As well, there was an additional almost \$300 million made available to hospitals to deal with the year 2000 problem. So our government —

The Speaker: Final supplementary.

Mrs Marion Boyd (London Centre): Minister, it's very interesting that you now have promised to do something yet again. One of the very first promises you made when you were made Minister of Health was that you were going to create a vision for health care. A little late, with all the hospital closures and all the changes that have happened in terms of health care, you are ordered by the coroner's jury to, within 60 days, develop a mission statement that recognizes and promotes the delivery of health care in a safe, efficient and timely manner. You're ordered to do that within 60 days.

1440

You've had many, many months as minister to undertake your promise of providing a mission statement for health care. Can we be sure that within 60 days, now that all these hospitals have closed, now that long-term care is in a disastrous situation, now that we've seen a ratcheting down of all the health care in the province, you are finally going to tell us what the mission is for a health care system in Ontario?

Hon Mrs Witmer: I would just say to the member from the third party that indeed there has been absolutely no ratcheting down of health services. As you know yourself, the community in London that you represent has seen a tremendous increase, millions of dollars in increased funding. The most recent was for mental health services in London, which was very well received and a surprise to the community that they would get additional dollars. There was the announcement regarding pediatric oncology. If you take a look at the press release from the parents, again there was the indication that for 10 years people had asked for more funding for pediatric oncology and finally our government was responding.

As far as the statement is concerned, obviously you don't read our business plans because the business plans each year have a statement indicating the vision.

BOARD OF INTERNAL ECONOMY DECISION

Mr Howard Hampton (Rainy River): A question for the Premier. Premier, last week we heard you in this assembly give a long list of excuses as to why your government was going to sanction the spending of \$600,000 to bail one of your political buddies out of a private sexual harassment suit. You tried to tell us that the Legislature might be liable. You tried to tell us that the Legislature might have to cover some costs.

Later on that afternoon, the lawyer for the Legislative Assembly, a very good lawyer, in fact an expert lawyer in this particular area, released a letter which basically said that every excuse you gave in this Legislature was

completely bogus. In fact, he said it is almost certain that members of this Legislature would not have to cover the cost of your backbencher Al McLean.

The Speaker (Hon Chris Stockwell): Question.

Mr Hampton: Premier, justify again why \$600,000 in taxpayers' money is being spent to help one of your —

The Speaker: Thank you, Premier.

Hon Michael D. Harris (Premier): First of all, to respond to the preamble, our government is not sanctioning or unsanctioning anything; we are simply leaving in the hands of the Legislative Assembly that which is in their domain.

Mr Hampton: I guess what people are hearing is the Premier, the Deputy Premier, the Acting Premier, standing in the Legislature and defending the expenditure of \$600,000 of taxpayers' money on what is a private sexual harassment suit. Unless people are watching television from some other planet, I think people are pretty clear that you're defending this action.

Here's the big problem: Three lawyers came before the Board of Internal Economy and said: "Look, you have no liability here. This is a private matter. Mr McLean can handle this, should handle this and legally must handle this. We know Mr McLean has the financial wherewithal to handle this. He should be paying this."

Premier, what is it that you're afraid of? Why don't you want Mr McLean to have to give testimony under oath? Why don't you want Ms Thompson to give testimony under oath? What is it that you're afraid of and that you want to keep out of the public view? Tell us, please.

Hon Mr Harris: I'm neither defending nor involved. If you're suggesting that you'd like the government to take over the affairs of the Legislative Assembly and the Board of Internal Economy, I would be very shocked and surprised at that. I think it ought to remain an independent body that operates independently from government. That's the case now and I've always favoured that.

The Speaker: Final supplementary.

Mrs Marion Boyd (London Centre): Premier, it's interesting that you're in such an all-fired rush to settle this case. Think of the case of Marion Dewar and Judith Hunter, the members of the Ottawa-Carleton Police Services Board whom your government wrongfully dismissed, as was found by the Divisional Court unanimously and the Court of Appeal unanimously. They ordered you in January 1998, almost a full year ago, to pay Ms Dewar \$17,641 and Ms Hunter \$11,051. Unlike good ol' Al, who has a good income, these women don't and you haven't paid a cent.

On October 29, the AG general counsel Dennis Brown wrote to their lawyers saying: "I apologize for not having responded sooner to your calls. I would have thought my clients," the Ontario government, "would have put me in funds by now. However, apparently some unexplainable problem arose. I might say the problem is yet to be discussed with me."

You have rushed to settlement with your friend Al McLean. These women are still waiting for a settlement

that six judges in two court levels ordered the government to pay. What's wrong with this picture, Premier?

Hon Mr Harris: Since I have nothing to do with the Board of Internal Economy decision, I don't know what the relationship is. If you're bringing a case forward that has to do with the government, I'll be glad to look into it and get back to you.

GOVERNMENT CONSULTANTS

Mrs Sandra Pupatello (Windsor-Sandwich): My question is for the Premier, who began the day by talking about protecting taxpayers' interests. My question is in regard to the Andersen contract worth \$180 million, which is not the maximum. The Provincial Auditor said today that the ministry could not provide a basis for its agreement to pay Andersen a fee of up to \$180 million; in fact the preliminary cost called for \$50 to \$70 million. We want to know, where did \$180 million come from and how can you defend a contract which, according to what the deputy minister told us this morning at committee, you had no briefing on, no knowledge of, no details of until after the contract was signed by the deputy?

Hon Michael D. Harris (Premier): I know the minister will answer that.

Hon Janet Ecker (Minister of Community and Social Services): I don't know if the honourable member across the way is asking for ministers to politically interfere in open bidding processes; if she is, she should say so. I think she will also understand that if she was there she could have asked the deputy minister the question. I understand she did. Obviously she wasn't listening to the answer.

We were very clear that the reform needed to be done. We recognized that trying to take a system that over a million people depend on for their livelihood, for their income, was going to be a very important reform and we were going to have to be very careful about how we did that. That's why they went out through an open bidding process. That's why references were checked. That's why they took a look and tried to get the best expertise we could for this particular program, to ensure the reforms were done properly.

Again, as the honourable member likes to ignore, one of the protections for the taxpayers here is that not one red cent goes to the consultant unless savings have been achieved. We believe in paying for performance; this contract very much was structured to do that.

Mrs Pupatello: That is completely inaccurate. In fact the references for this company were not checked, and that is in the Provincial Auditor's report today. The deputy confirmed that today.

What I will ask you, Minister, is how you can defend \$180 million, which is just the beginning of this, only the tip of the iceberg. Your agreement that you apparently knew nothing of until after it was signed called for the support and reimbursement of additional costs, including computer hardware, purchase of third party software, production support, help desk services, annual application

maintenance and any applicable taxes, in addition to the \$180 million.

You may say that your system needed reform, but it did not say that you should hand over a blank cheque to a private company with no holds barred. How do you stand today and rationalize and defend a \$180-million contract, the largest of its kind in the history of your ministry?

Hon Mrs Ecker: First of all, I would really like to caution the honourable member about checking the facts not only as presented to her today but as presented by the auditor a month ago when the same issue was raised by the auditor and was discussed in this Legislature. References were checked on this company, and to suggest that they weren't is trying to play fast and loose with what the facts really are.

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The second thing is we are looking at a \$5-billion program here, that is, \$5 billion of Ontario taxpayers' money. That money goes out to support people on welfare, people who have disabilities. It is important that they get their cheques on time. They depend on that money. We felt that it was appropriate to make sure that this reform of the system was done in a very appropriate fashion. That's why we were prepared to go out and get the expertise that we needed to do it. Perhaps the honourable member forgets, one does have to pay for this expertise; however, payment was made out of savings that were already achieved.

TORONTO OLYMPICS BID

Mr Howard Hampton (Rainy River): I have another question for the Premier concerning the finances of Toronto's Olympics bid. A forensic accountant named Charles Smedmor, a former senior manager at Price Waterhouse, says that it is headed for a deficit of close to \$1 billion. Mr Smedmor says, for example, that the so-called Olympic stadium has been estimated by the bid committee to cost just \$92 million. He says if you look at Sydney, Australia's Olympic stadium, it's projected to cost \$690 million and he points out that SkyDome, when all the bills came in, cost over \$600 million. It leads one to believe that Mr Smedmor knows what he's talking about.

Premier, can you guarantee the taxpayers will not have to pick up a deficit from the Toronto Olympics bid?

Hon Michael D. Harris (Premier): Certainly that's one of the areas we are most strong on in negotiating agreements with the city of Toronto, which will be the lead proponent, and obviously there will be involvement of provincial and federal governments and the Canadian Olympic Association. But I can assure you that we have stated from our point of view — and I know that Morley Kells, who sits on the board and represents the province of Ontario, has these concerns uppermost in his mind.

I can also assure you that things are very preliminary at this stage. I think it's normal and healthy for there to be conflicting viewpoints from estimates of costs, but it's a little early at this point in time to deal with the preliminary

estimates. Whether it's a permanent stadium, a temporary stadium, all these things are still being worked on.

Mr Hampton: Mr Smedmor has a worldwide reputation. He has been sent to different countries around the world to look at financial scenarios and he says an \$890-million deficit at least. Premier, on a day when you come in here and introduce a so-called balanced budget bill, can't you give people more of an assurance, more of a guarantee that they won't be facing a deficit? I notice the people who are on this bid, Paul Godfrey and Trevor Eyton, if my memory serves me correctly, are the people who brought Ontario the huge deficit at SkyDome.

Premier, with an \$890-million deficit already at this point, what are you going to do to assure the people of Ontario that they won't be picking up a \$1-billion deficit after all of the Eytons and the Godfreys have had their good time?

Hon Mr Harris: I appreciate how fast and loose you are with people who have a significantly better reputation than do you or your party or your government when it comes to deficits. I'm actually surprised that you're worried about a deficit. It's the first time I've heard a New Democrat say they're actually worried about a deficit. You weren't worried about the \$11-billion annual deficit that we inherited. You weren't worried in the four years between fiscal 1990-91 and 1994-95. You increased Ontario's debt per capita by 98% from \$4,000 a person to \$8,000 a person. You didn't seem particularly worried that you built on the Liberals' increase on the total debt from \$30 billion to \$40 billion and rapidly ran that up from 15% of GDP to 29% of GDP.

I can give you this assurance: I think if you look at the record of this government versus yours, if you look at the record of Mr Kells versus anyone you could possibly appoint, if you look at the reputation of the people involved, our commitment is that there will not be a deficit or a debt to the people of this province. I think it's in a lot better hands —

The Speaker: New question.

ADOPTION

Mrs Helen Johns (Huron): My question is to the Minister of Community and Social Services. The member for Riverdale has introduced a private member's bill on adoption disclosure. This bill has passed second reading. Will you comment on your support of this bill, please.

Hon Janet Ecker (Minister of Community and Social Services): I thank the honourable member for Huron for the question. She has been involved in this issue. I'd like to congratulate the member for Riverdale on her legislation. It represents a very significant and positive contribution to this issue. Adoption reform is an extremely important issue.

As you know, the government has not been averse in the past to moving forward with proposals from the opposition. For example, the member for Lawrence brought forward proposals on international adoption which we incorporated into legislation that has proceeded,

with the support of this House — a very important reform. I look forward to proceeding with adoption reform proposals.

But I must say that our priority this fall, based on the recommendations of coroners' inquests and expert opinion that we have sought, has been to improve the legislation to protect abused children more. That has certainly been the priority this fall and remains this government's priority this week. We had thought it was a priority of the two opposition parties. Unfortunately, it appears that it is not. We look forward to moving forward with that very important legislation this week.

Mrs Johns: I received a letter this week from a constituent. It says:

"Bill 73, An Act to amend the Child and Family Services Act in order to better promote the best interests, protection and well being of children, is currently before the House for second reading. This set of amendments is crucial to aid in the protection of Ontario's most vulnerable children. There are, as you know, only four days left in the current legislative session and it is imperative that action on Bill 73 be taken prior to the end of the legislative session.

"The children's aid society of Huron county fully supports the proposed legislative amendments. These amendments were written in recognition of the need to revise the act in order to help the children's aid society keep children safe.

"Thank you for helping to protect Ontario's most vulnerable children by ensuring speedy passage of Bill 73."

Minister, I'm wondering when we can expect this very important bill to proceed through second reading and be referred to committee.

Hon Mrs Ecker: We spent a lot of time this year consulting with children's aid societies on this legislation. We also had an expert panel that spent much time and received many submissions from experts in the field and also from children who had gone through the children's aid process, to get input. We tried to choose very carefully those amendments to the legislation that had the highest priority, to better protect abused children. That is the basis of the package we brought forward for the consideration of the House this fall. It is certainly my hope that we will be able to get that legislation in before the end of the session this year, because I do believe it is a very important reform.

As I've also said to the honourable member, there are many issues in the Child and Family Services Act which need reform, many issues which we have not been able to deal with this fall, and we look forward to proceeding with those proposals and amendments, because we do need to make those changes as well.

BOARD OF INTERNAL ECONOMY DECISION

Mr John Gerretsen (Kingston and The Islands): My question is to the Premier, and it deals with the Al McLean affair. Last week, you claimed in this House on a

number of occasions that you weren't briefed on this matter, yet you seemed to have an awful lot to say on Focus Ontario this past Saturday. You seem to blame almost everyone, and I'll quote directly from the transcript of the interview. You seem to blame the Legislative Assembly, the Board of Internal Economy, the Speaker's office and the Clerk — he can't even defend himself here.

But the comment that really struck me, and I'm quoting directly from your interview, is where you say, "...it should have been settled a year ago, and could have been a year ago, were it not for the opposition members and, quite frankly, I believe management within the Speaker's office; it could have been settled for half this a year ago."

Two out of the six members are in opposition. Your government members can get their way on any issue whatsoever. What evidence do you have to support the kind of public statement that you made on Focus Ontario when you didn't have anything to say in this House? What is your evidence for making that kind of statement, that it could have been settled for less than half of that?

Hon Michael D. Harris (Premier): I simply relayed what our members have reported. Their view of the matter is, and I think everybody has said, that it was badly handled, the whole affair. That's what's been reported to me and that's what I've relayed to you.

Interjections.

The Speaker (Hon Chris Stockwell): Order. Supplementary?

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Mr Gerretsen: Sir, where it was badly handled was in the fact that four of your members on the committee — contrary to three legal opinions, from the best legal authorities in this matter we could possibly get, that argued against any payment whatsoever. That's where it was badly mishandled. You had an awful lot to say about this matter on Saturday and I would like you to explain to the taxpayers of Ontario how you can possibly justify the payment of \$600,000 in a situation where the best legal authorities in the province say not a penny should have been paid. What justification do you have for that?

Hon Mr Harris: I don't have any justification. I've been reporting to you, as I've indicated, as I've been briefed by members on the committee. I would think that the best legal minds in the country, or whatever phrase you used, to advise the Legislative Assembly would have wanted their \$200,000 paid. I assume you're including that.

GOVERNMENT CONSULTANTS

Ms Shelley Martel (Sudbury East): I have a question for the Minister of Community and Social Services. You have consistently said that the problem with the Andersen project was that the management left a great deal to be desired. You refused to admit that it's the details of the contract itself that leave a lot to be desired because the taxpayers are being so ripped off under the circumstance.

Minister, it was your ministry that negotiated a deal where Andersen could receive up to \$180 million out of

future savings, when Andersen themselves only estimated \$50 million to \$70 million of costs. That \$180-million maximum can be increased under specific conditions, Andersen can be reimbursed for certain project costs outside of the \$180-million fee, Andersen can increase its billing rate by the hour without any ministry approval, and the interest rates paid to Andersen are much more favourable than the interest rates that were ever paid to the ministry through this contract.

Minister, when were you first advised of the details of this boondoggle and why didn't you think there was anything wrong with what was going on?

Hon Janet Ecker (Minister of Community and Social Services): As the honourable member well knows, this contract was negotiated by the staff team. There were protections built in there. It was not managed appropriately. That's why we've accepted the auditor's recommendations to improve the management of it. That's why there is an independent review of this contract.

I think, as she also would acknowledge, this is to be paid out of savings. There may well have been expenses that were allowed for in the contract. That is very common in any kind of consultant contract that I've been familiar with in the past. I repeat: The savings were only to be used to pay Andersen's fees.

The other thing is that I think what the honourable member forgets is that we need to do this reform, and this reform is moving forward. We want to make sure that the technology system that supports the delivery of financial benefits to people with disabilities, as well as to people on welfare, is a system that is going to work.

Ms Martel: The issue is not the reform of the technology; the issue is the sweetheart-of-sweetheart deals that your government signed with Andersen Consulting.

The fact of the matter is that the vendor themselves anticipated costs of only \$50 million to \$70 million. Yet your ministry went ahead and wrote out a contract that will give them \$180 million, \$100 million more than the vendor themselves said it would cost them to do this project. We already know that \$1.4 million of travel and accommodation were paid out. There were no receipts that were provided until your government got caught.

Minister, there are a number of other times in this contract that make it clear that Andersen Consulting is assuming no risk, but the taxpayer is sure assuming a financial risk under this scheme. I ask you again very clearly: When were you made aware of the details of this contract and why did you do nothing about the very, very serious issues involved in this contract?

Hon Mrs Ecker: First of all, as has been explained to the honourable member, the initial estimates were for \$50 million to \$70 million in terms of what they thought the project might well be. The whole point of the negotiation process that happens between the team and the consultant is to clarify what kind of work might well need to be done. In this case the magnitude of the job, the magnitude of taking a system that has virtually a million lines of code and is in hundreds of different locations across the province and involves something like 7,000 staff, the

magnitude of that work meant that the contract was increased in value, and that's not been a secret. That's public information.

The other thing is that there were receipts for the expenses. They were not filed. They should have been. They should have been verified and checked.

The Speaker (Hon Chris Stockwell): Answer.

Hon Mrs Ecker: We have acknowledged that. That's why procedures have changed, to make sure that indeed doesn't happen. Again, the whole point of this —

The Speaker: New question.

WOMEN'S ISSUES

Mr Bob Wood (London South): My question is for the minister responsible for women's issues. Recently, the minister held round table discussions for women on economic independence in Ottawa and London. What concrete results does the minister expect from these meetings?

Hon Dianne Cunningham (Minister of Inter-governmental Affairs, minister responsible for women's issues): Our government is totally committed to promoting women's economic independence so that young girls can get good jobs, contribute in their communities and be self-sufficient in their own homes with their families. We're actually working with communities across the province — our groups are called partners for change — and we're asking women in other communities to help us get the message out, and the message is basically that young women should be planning for that good job. They should be keeping all doors open by taking the right courses and being well informed as to where those good jobs are.

Last week — you're correct, to my colleague from London South — we had a meeting in London, Ontario, and we had one the week before in Ottawa, and women in those communities are keen to get involved, to help us get that message out through their mentoring programs, through being good role models, for setting examples and working with schools and other agencies within the communities so that young women can make good decisions.

Mr Bob Wood: When does the minister expect we will see these results?

Hon Mrs Cunningham: We have been meeting in Toronto for some period of time with the Partners for Change Network. Their focus has been working with the government to make resources such as videos, such as Women Entrepreneurs: Making a Difference, which is a world-acclaimed video now used in different countries.

I will also say that we're looking to start these round tables in the new year in communities across Ontario where we haven't already had those meetings. We're totally committed to making certain that women will be exposed to others who have been successful entrepreneurs, successful accountants, successful engineers, successful women in non-traditional roles who will inspire them to take the right courses, stay in school and get those good jobs.

EDUCATION FUNDING

Mr Dominic Agostino (Hamilton East): My question is for the Minister of Education. The Hamilton district school board at this point has about 400 kids on a waiting list for psychological assessment. These are kids with learning disabilities, kids who have emotional or behavioural problems. These are kids who need help desperately. They need the assessment and they need the help.

The waiting list at this point is almost one year. That is almost one year for kids who need help and assessment and they can't get it because the board does not have the resources to provide those services. As a result of your funding formula, you've changed and you've cut services by social workers, speech therapists, psychologists, child and youth workers. It is unacceptable and irresponsible of your government to allow this to continue to occur, that kids who need assessment, kids with learning disabilities, kids who are not doing well in school have to wait for a year to see a counsellor to receive an assessment as a result of your formula.

The Speaker (Hon Chris Stockwell): Question.

Mr Agostino: Minister, will you today acknowledge that you've failed in that funding formula and change that formula so that kids don't have to wait a year to get an assessment for behavioural and learning problems in our schools?

1510

Hon David Johnson (Minister of Education and Training): I'm proud to say a couple of things. One is that the professional and paraprofessional services, which I think would cover the topic that the member opposite has indicated, are now part of classroom funding, and the monies involved across Ontario have increased in that category. Two, they're part of a protected classroom funding, so no longer can school boards take money earmarked for paraprofessional help, for example, and spend it outside of the classroom on administrative functions.

In terms of special education, which may be of assistance to some of the individuals involved, the funding for special education has been protected by itself and protected at about \$1.2 billion, which I would say is about \$400 million more than was available when the Liberals were last in office.

Mr Agostino: Minister, your rosy picture and this wonderful stock answer that you have for all of the province do not help the kids in Hamilton. Let me tell you again: 400 kids are on a waiting list. They must wait a year — kids with learning disabilities, kids with behavioural problems, kids who are violent as a result of difficulties — and it's taking up to a year for someone to assess them as a result of your cuts. Your wonderful, rosy picture doesn't do a darn thing for the 400 kids on this waiting list in the city of Hamilton. You don't seem to understand that.

Very clearly we have a problem, very clearly you have a responsibility, and when you talk in those general, wonderful, feel-good terms, you're ignoring the fact and the reality of these kids. It's unacceptable, and you know

it's unacceptable, that kids who have behavioural problems and learning disabilities have to wait a year. Maybe you think it's OK. Minister, stand up and tell us now: Do you believe it's acceptable for kids in Hamilton who need assessment to have to wait a year as a result of your funding cuts?

Hon David Johnson: If kids are not getting the service they need and deserve, then it certainly is unacceptable. That is precisely why we have protected classroom funding: because kids were not getting the kind of service they deserve. Monies were being spent on administrative buildings or bureaucracy or monies were being wasted, so we said, "No more. We'll put an end to that. We will protect classroom funding. We'll protect the money going to teachers, money going to textbooks, money going to speech pathologists, money going to other professionals who are needed in the classroom. We'll increase it and protect it," and that's exactly what we've done so there are more monies available.

I would say that if in this board or any other board the kids are not getting that kind of service, then the board has got its priorities wrong and should be directing the money to where the kids need it, because we have put more money in the classroom to serve exactly this kind of situation.

LEGAL AID

Ms Marilyn Churley (Riverdale): My question is for the Minister of the Environment. Your government has already eliminated intervenor funding for those seeking to act as advocates for the environment in court. The Canadian Environmental Law Association asked that you include the environment in the definition of "clinic law," for which legal aid support is available. But your Legal Aid Services Act doesn't include any reference to the environment at all. It's my understanding that environment was included in the draft of Bill 68. I want to ask you today, why was the environment removed from that?

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): This is a bill brought forward by the Attorney General, so I'll refer the question about legal aid funding for environmental groups to him.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): This was an issue that was obviously canvassed as the new legal aid bill was being created. An independent board is being created to run Legal Aid Ontario. These are decisions that will be left to the legal aid board to determine whether they wish to include areas of coverage for, in this case, environmental law, whether they see a need for that, whether there's demand for that, and that will be left to the independent board.

Ms Churley: Minister, that is exactly the problem. The definition includes several categories, but it's my understanding that the environment was there and was taken off. That's why the environmental community is concerned; not just the environmental community, all our commun-

ities. Studies have shown that low-income individuals and communities experience disproportionately high impacts from environmental problems.

What I want you to do today, and I'd rather get this from the Minister of the Environment, for the record is to say that your government supports funding for environmental protection in our communities through the legal aid system as it is now. Please give us that commitment today.

Hon Mr Harnick: Again, that is an issue that the board of the legal aid plan will determine. It will be within their purview to determine that. They will determine, based on their appreciation of the demand and the need, whether it should be something that the clinic system could ultimately become involved with. That's one of the reasons we've restructured legal aid the way we have: to ensure that a responsive legal aid board is there to determine what the demands are on legal aid and to be cognizant of and responsive to those demands.

HOME CARE

Mr John O'Toole (Durham East): My question is to the Minister of Long-Term Care. Recently, the Durham MPPs met with the board of Durham Access to Care, Janet Harris and board members Barb Hiemstra, Victoria Earle, Doug Hird and others. This volunteer board is working very hard to improve patient services at home.

An article I read today in the *Globe and Mail* reports that Ontario is spending over half of the country's home care budget. While I commend you for your leadership in this area, at the same time I'm concerned about how these changes are helping my constituents of Durham East. Under the NDP program they received half of per capita funding for home care. Minister, how can you guarantee this situation will improve for my constituents of Durham East?

Hon Cameron Jackson (Minister of Long-Term Care, minister responsible for seniors): I want to thank the member for his question. Residing in the GTA, he will know that the past two governments discriminated against seniors in the GTA because they were receiving the lowest levels of home care anywhere in the province. As well, their hospitals were operating without any recognition of growth in their areas and did not have access to the hospital growth fund that both my ministers of health colleagues have brought in this province.

In particular to residents of Durham, when this government took office, we were spending about \$21 million on services in that area. We've increased community-based support services for seniors and persons with disabilities to \$41 million. That's a 94% increase in three and a half years, and we are, as I say, overcoming the discrimination of past governments to ensure that this additional funding is more accessible to seniors. It is enhancing the quality of their lives by giving them additional access to home-making support services, nursing support and physiotherapy in their homes, closer to home where they are requesting them.

Mr O'Toole: Thank you, Minister, for this recognition of growth in Durham. A 94% increase, as you've reported, is spectacular.

In the same article I was reading today there was a man who had had cancer surgery and wanted to go home to recover. Three years after his surgery, he still gets visits from the Victorian Order of Nurses three times per week. He also said in the article that his mother, who died four years ago of brain cancer, didn't receive more than a week of home care under the previous administration. Minister, please share with the members of the House the actions and steps you're taking to improve the important home care services that Ontarians need.

Hon Mr Jackson: In the case referred to of this individual's mother in Peel, in fact Peel was receiving the lowest level of care in the entire province. In our most recent increase of about 105%, we transferred \$10 million to the home care program in Peel region.

The larger question is the fact that our government, under the leadership of Mike Harris, has expanded and committed future governments to a \$1.2-million expansion of long-term-care services, including a \$650-million commitment to build 20,000 new long-term-care beds after we waited a decade when not one single new long-term-care bed was built in this province. The backup in our emergency departments is because we've had no place to put these seniors and others who are lying in hospital beds inappropriately in this province — no planning by the previous government.

Finally, the bigger problem is that neither of the other two political parties in this province has committed to expanding long-term-care services in this province, something seniors have asked for and this government is delivering.

1520

GOVERNMENT CONSULTANTS

Mrs Sandra Pupatello (Windsor-Sandwich): My question once again is for the Premier about Andersen Consulting. I'd dearly like the Premier to please stand up for taxpayers and defend this contract. Could you please explain to me why today the deputy minister admitted that they don't know most of the time why people are leaving the welfare system? If you don't know why they're leaving the system, then you also don't know how much to attribute to Andersen in order to pay them for the contract.

The Provincial Auditor also found \$2.6 million in savings that were found by manual review by the ministry staff, not by Andersen Consulting. That process began before you even signed the contract, yet you're giving money to Andersen Consulting for work that was done by the ministry staff.

Premier, after everything you said today about protecting taxpayers, please stand up and say something in the defence of this atrocious contract that your government signed with Andersen.

Hon Michael D. Harris (Premier): Since this has nothing to do with the breakfast program, as I was led to believe, I will refer it to the minister.

Hon Janet Ecker (Minister of Community and Social Services): Again, the honourable member had this explained to her this morning at committee. Of course some of the work is being done by ministry staff. The ministry staff do work, Andersen does work; of course that's the case.

Second, no government ever knew what happened to people when they left the welfare system. That's why we went out and did two independent surveys where we asked that question. We have that data. We do regular reports now to the taxpayers. Some 60% of the people who are leaving social assistance are doing so for jobs. That's a success story.

VISITOR

Mr Rick Bartolucci (Sudbury): On a point of order, Mr Speaker: Just before we begin petitions, I know you'd like to welcome the mother of the member for Hamilton East, Mrs Theresa Agostino, who's in the west public gallery, to the chamber today.

The Deputy Speaker (Mr Bert Johnson): We welcome all the guests with us, particularly the mother of the member for Hamilton East.

PETITIONS

AIR QUALITY

Mr Rick Bartolucci (Sudbury): This is a 507-signature, 39-page petition. It was circulated by Marie France Daoudi, who is co-chair of the Sudbury Committee for Clean Air, and it is to the Legislative Assembly of Ontario.

"Whereas SO₂ emissions from mining and smelting operations remain a serious threat to the health, environment and property of Sudbury citizens;

"Whereas there continue to be ongoing intolerable peaks in levels of SO₂ emissions from mining and smelting operations;

"Whereas the threat of fugitive emissions remains constant to the Sudbury region;

"Whereas existing government regulations and thresholds for SO₂ emissions may be in need of immediate reassessment;

"Whereas the elimination of 26 regional Ministry of Environment jobs by the Harris government has resulted in lowered monitoring effectiveness;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government aid the citizens of this community in having these emissions monitored closely and reduced significantly."

This is now a petition of 2,015 people, and of course I affix my signature to it.

ABORTION

Mr John O'Toole (Durham East): It is a pleasure and a privilege to present a petition to the Legislative Assembly of Ontario.

"Whereas Ontario taxpayers funded over 45,000 abortions in 1993 at an estimated cost of \$25 million; and

"Whereas pregnancy is not a disease, injury, or illness, and abortions are not therapeutic procedures; and

"Whereas the vast majority of abortions are done for reasons of convenience or finance; and

"Whereas the province has the exclusive authority to determine what services will be insured; and

"Whereas the Canada Health Act does not require funding for elective procedures; and

"Whereas there is mounting evidence that abortion is in fact hazardous to women's health;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to cease from providing any taxpayers' dollars for the performance of abortions."

I'm very pleased to present this on behalf of my constituents in Durham.

CHILD CARE CENTRES

Mr David Caplan (Orillia): "Whereas providing daycare spaces is critical for the families in Toronto that need access to them; and

"Whereas the well-being of children should not be sacrificed for tax cuts; and

"Whereas the provincial government has significantly cut the budgets for the Toronto school boards; and

"Whereas under the provincial government's ill-conceived Bill 160 there is no flexibility for boards to make up for the cuts; and

"Whereas daycare spaces in schools are now threatened by these cuts, with the prospect of full-cost recovery arrangements with daycares and the threat of school closures;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly to repeal Bill 160 immediately; and

"Further be it resolved that the Legislative Assembly of Ontario instruct the Minister of Education and Training to restore meaningful and flexible funding to the Toronto school boards to ensure that they are able to continue to accommodate our community daycares; and

"Further be it resolved that the Honourable Dave Johnson, Minister of Education and Training, takes responsibility for his government's funding cuts rather than passing the buck to school boards who have no control over provincial government spending cuts."

I agree wholeheartedly with this petition and I've affixed my signature to it.

SCHOOL SAFETY

Mr R. Gary Stewart (Peterborough): I have a petition signed by many people regarding the Safe Schools Act and it reads:

"To the Legislative Assembly of Ontario:

"Whereas all schools in Ontario should be safe learning and working environments; and

"Whereas all Ontarians should be assured that safe school programs are in place in all Ontario schools; and

"Whereas Dan Newman, MPP for Scarborough Centre, has introduced a private member's bill entitled An Act to Promote Safety in Ontario Schools and create positive Learning Environments for Ontario Students."

This bill will require boards to design and implement safe school programs, have intervention strategies, provide violence- and weapons-free school policy etc.

"We, the undersigned, petition the Legislature of Ontario as follows:

"To pass into law Mr Newman's Safe Schools Act as quickly as possible."

I sign this petition.

SCHOOL CLOSURES

Mr Joseph Cordiano (Lawrence): I have a petition on behalf of the residents of the former city of York with regard to the closure of their schools: Weston Memorial, C.R. Marchant, George Harvey and Lambton Park.

"To the Legislative Assembly of Ontario:

"Whereas Mike Harris is cutting the heart out of many communities by closing hundreds of neighbourhood and community schools across Ontario; and

"Whereas this massive number of school closings all at once will displace many children and put others on longer bus routes; and

"Whereas Mike Harris promised in 1995 not to cut classroom spending, but has already cut at least \$1 billion from our schools and is now closing many classrooms completely; and

"Whereas Mike Harris is pitting parent against parent and community against community in the fight to save local schools; and

"Whereas parents and students in the city of Toronto and many other communities across Ontario are calling on the government to stop closing so many of their schools;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that Mike Harris stop the school closings."

CHILD CARE CENTRES

Mr Derwyn Shea (High Park-Swansea): While this petition contains several significant factual errors and appears to have had its genesis in the offices of the Liberal member for Oriole, I present this petition on behalf of some constituents who are associated with Junction Day Care Centre, Ferncliff Daycare, Howard Park Children's Centre, Sunnyside Garden Daycare. It reads as follows:

"A petition to the Legislative Assembly of Ontario:

"Whereas providing daycare spaces is critical for the families in Toronto that need access to them; and

"Whereas the well-being of children should not be sacrificed for tax cuts; and

"Whereas the provincial government has significantly cut the budgets for Toronto school boards; and

"Whereas, under the provincial government's ill-conceived Bill 160, there is no flexibility for boards to make up for the cuts; and

"Whereas daycare spaces in schools are now threatened by these cuts, with the prospect of full-cost recovery arrangements with daycares and the threat of school closures;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly to repeal Bill 160 immediately; and

"Further be it resolved that the Legislative Assembly of Ontario instruct the Minister of Education and Training to restore meaningful and flexible funding to the Toronto school boards to ensure that they are able to continue to accommodate our community daycares; and

"Further be it resolved that the Honourable Dave Johnson, Minister of Education and Training, takes responsibility for his government's funding cuts rather than passing the buck to school boards who have no control over provincial government spending cuts."

1530

VISITING SPECIALIST CLINICS

Mr Michael A. Brown (Algoma-Manitoulin): To the Legislature of Ontario:

"Whereas the objective of the visiting specialist clinic program is to provide specialty services in communities where the population base cannot support a full-time specialist and where specialty services are established more than 40 kilometres away from those communities; and

"Whereas communities in Algoma-Manitoulin, including Espanola, Manitoulin Island, Elliot Lake, Blind River, Chapleau, Wawa, Hornepayne and Manitouwadge, are situated great distances from the nearest established specialty services and travelling such distances poses undue hardship on people requiring these services; and

"Whereas the Ministry of Health has withdrawn funding for specialist support staff, seriously threatening the clinic program; and

"Whereas funding by the Ministry of Health for travel grants would far outweigh the costs to the ministry of providing support staff funding;

"We, the undersigned, petition the Legislature of Ontario to restore funding for support staff for the visiting specialist clinic program."

It's signed by a number of my constituents, and I'm happy to affix my signature.

EDUCATION REFORM

Mr Ted Arnott (Wellington): I have a petition from a number of citizens from our area on the issue of the secondary school curriculum. It asks that the Legislative

Assembly of Ontario delay the implementation of secondary school reform until successful pilot projects are conducted on the new curriculum and until Ontario students, parents, teachers and administrators are confident that quality control procedures have been observed, thus guaranteeing a quality education for our Ontario students.

HOSPITAL RESTRUCTURING

Mr Alvin Curling (Scarborough North): I have a petition here that reads like this:

"The Health Services Restructuring Commission has given notice that it intends to direct the Hotel Dieu Hospital to close and to require that the Sisters of the Religious Hospitallers of St Joseph cease to be governed. If the proposed direction is made and implemented, then access to high-quality health care will be seriously undermined in Kingston and region.

"The sisters are recognized for their leadership in the health care community. They have developed the plan for and operated an efficient outpatient teaching hospital and have provided a high quality of patient care for 123 years from the same location. Their distinct values and philosophy, coupled with the sisters' tradition of compassionate care, must not disappear.

"The HSRC's proposed direction calls for the dismissal of the sisters from their role in the governance of outpatient health care at the Hotel Dieu Hospital. This is not in the best interests of the patients and families in this city and region. The people of Kingston deserve to have access to the kind of quality health care for which the sisters are well recognized.

"Those who must use public transportation to get to outpatient clinics will be seriously affected. The taxpayers should not have to shoulder any extra burden in paying for a new outpatient facility when the Hotel Dieu site can accommodate the needs of the people of Kingston. Many downtown businesses will suffer greatly should the site be closed.

"The sisters of Hotel Dieu Hospital are asking that you help them in their response to the commission."

I affix my signature in full agreement.

STEEL INDUSTRY

Mr David Christopherson (Hamilton Centre): I have a petition to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Asian and Russian economic crises have contributed to a flood of steel imports into Canada at record-low prices; and

"Whereas the value of steel imported from Russia increased by 50% in the first half of 1998 over the first half of 1997; imports from Japan increased by 57%; and imports from Korea increased by over 500% in the first eight months of 1998 alone; and

"Whereas prices for almost every primary steel product have dropped by as much as 25% since the beginning of 1998; and

"Whereas the low-price imported steel threatens the viability of every steel producer in Canada," particularly in Hamilton and in Sault Ste Marie; and

"Whereas the potential impact on our community and its families of the growing steel imports crisis is devastating, threatening thousands of jobs directly and indirectly;

"Therefore be it resolved that we, the undersigned, call on the Legislative Assembly of Ontario to urge the Canadian government to apply Canadian trade law quickly and effectively against this blatantly unfair competition, and further, to consider and explore any other extraordinary measure possibly available to Canada under its various trade agreements to deal with this unacceptable threat to our community's future."

I add my name to those of my constituents in Hamilton.

PALLIATIVE CARE

Mr Bob Wood (London South): I have a petition signed by 31 people.

"Whereas most Ontario residents do not have adequate access to effective palliative care in time of need;

"Whereas meeting the needs of Ontarians of all ages for relief of preventable pain and suffering, as well as the provision of emotional and spiritual support, should be a priority to our health care system;

"We, the undersigned, petition the Legislative Assembly of Ontario to resolve that a task force be appointed to develop a palliative care bill of rights that would ensure the best possible treatment, care, protection and support for Ontario citizens and their families in time of need.

"The task force should include palliative care experts in pain management, community palliative care and ethics in order to determine effective safeguards for the right to life and care of individuals who cannot or who can no longer decide issues of medical care for themselves.

"The appointed task force would provide interim reports to the government and the public and continue in existence to review the implementation of its recommendations."

NURSES' BILL OF RIGHTS

Mr Rick Bartolucci (Sudbury): This petition is to the Legislative Assembly of Ontario and it reads as follows:

"Whereas Sudbury MPP Rick Bartolucci's private member's Bill 84 entitled the Nurses' Bill of Rights states that nursing is key to quality health care; and

"Whereas Bill 84, the Nurses' Bill of Rights, gives every nurse the right to be given the opportunity and means to provide high-quality care; and

"Whereas under Bill 84, the Nurses' Bill of Rights, every nurse has the right to be heard and consulted by other hospital staff and employees on health care issues relating to their patients; and

"Whereas under Bill 84, every nurse will have the right to participate in health care reform; and

"Whereas under Bill 84, every nurse will have the right to carry out his or her duties without fear of reprisals by the hospital or other hospital staff or employees; and

"Whereas under Bill 84, every nurse will have the right to work in a setting that is free from harassment and discrimination and that promotes professionalism and teamwork;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to support Rick Bartolucci's private member's bill, the Nurses' Bill of Rights, and to call it for second and third reading so that nurses' rights are enshrined in all aspects of health care."

Of course I am in support of this petition and I affix my signature.

ORDERS OF THE DAY

TAX CREDITS

AND REVENUE PROTECTION ACT, 1998

LOI DE 1998

SUR LES CRÉDITS D'IMPÔT

ET LA PROTECTION DES RECETTES

Resuming the adjourned debate on the motion for second reading of Bill 81, An Act to implement tax credits and revenue protection measures contained in the 1998 Budget, to make amendments to other statutes and to enact a new statute / *Projet de loi 81, Loi visant à mettre en oeuvre des crédits d'impôt et des mesures de protection des recettes contenus dans le budget de 1998, à modifier d'autres lois et à en édicter une nouvelle loi.*

The Deputy Speaker (Mr Bert Johnson): Pursuant to the order of the House dated December 9, 1998, I'm now required to put the question.

Mr Young has moved second reading of Bill 81. Is it the pleasure of the House that the motion carry? It is carried.

1540

Mr Terence H. Young (Halton Centre): I move third reading of Bill 81, An Act to implement tax credits and revenue protection measures contained in the 1998 Budget, to make amendments to other statutes and to enact a new statute.

Today I'd like to speak in support of the passage of Bill 81, the Tax Credits and Revenue Protection Act, 1998. If passed, this bill will complete the implementation of measures announced in the May 1998 Ontario budget and enact some new measures. Some budget proposals have been improved in response to comments and suggestions by stakeholders.

The tax incentives introduced in this bill will benefit Ontarians with disabilities and make more capital available to businesses, particularly small businesses, in communities throughout Ontario, enabling them to grow and create jobs.

Special credits will help to create well-paying jobs in the new-economy industries of interactive digital media,

computer animation and special effects. Tax credits will also help the domestic sound recording industry, which is the chief developer of new Canadian musical talent.

The bill contains a number of provisions to improve compliance with tax legislation and to help motivate individuals and corporations to meet their tax obligations.

A new act is included in the bill to replace the fees charged by the province on grants of probate or administration of estates and maintain this source of revenue.

In addition, measures in this bill will also help parents get and keep jobs while ensuring that their young children are well looked after, both by reimbursing parents for part of their child care costs and by encouraging construction and renovation of licensed child care spaces.

Forty million dollars from the existing child care tax credit will be combined with an additional \$100 million in 1998-99 to create a new program that supports working families with young children. The Ontario child care supplement for working families will provide support to help parents in the workforce, in school and in training. Under this program, low- to middle-income working families would receive annual payments of up to \$1,020 for each child under age seven. That is a tax-free monthly payment of \$85. More than 350,000 children in 210,000 families are expected to benefit under this program.

It is urgent that these payments go out to the families across the province who so desperately need support for their essential child care needs. The Ministry of Finance has heard from parents all over Ontario who not only welcome the program but want to know when they will be getting their payments. In many instances, this is the only child care support these parents and guardians will receive.

The first payment will be made following royal assent. If royal assent is this month, a lump sum payment will be made for the period July 1998 to December 1998. Starting January 1999, the supplement would be paid monthly.

Benefits will not only go to working families but low- to middle-income families where one parent stays at home to care for their child under age seven. In addition, parents who attend school or are getting training and have child care expenses for their children under age seven are also eligible.

This supplement gives working families and low- to middle-income families real choices in child care. The supplement is intended to go to the families who need it most. It goes down in value as family net income rises above \$20,000.

For example, for a family earning \$20,000 with one child under age seven, the annual payments through this new program could amount to \$1,020, or \$85 monthly. For a family earning \$25,000 with two children under age seven, the annual payments could be \$1,640, or \$136.67 monthly. For a family earning \$35,000 with three children under age seven, the annual payments could be \$1,860, or \$155 monthly.

The amount parents or guardians receive will be based on a number of factors: the number of children under age seven in the family; the family's prior-year earned and net

income; child care costs, and whether the child care costs are subsidized.

The benefit year is July to June. Prior to each new benefit year, qualifying families will be sent an individualized application form which must be filled out and returned.

It is truly a supplement for low- to middle-income working families, because benefits disappear at income levels: for example, \$32,750 for a family with one child under age seven; \$45,500 for a family with two children; \$58,250 for a family with three children; \$71,000 for a family with four children; and \$83,750 for a family with five children.

Bill 81 would also increase the access of working parents to affordable child care by providing a new tax incentive to incorporated and unincorporated businesses that create or improve licensed child care facilities or that make contributions to child care operators to construct or renovate facilities.

The tax deduction for corporations would be equal to 30% of qualifying expenditures incurred after May 5, 1998, in constructing or renovating licensed child care facilities. Unincorporated businesses would be entitled to an equivalent refundable tax credit of 5%. The tax incentive would be available to businesses other than child care businesses operating permanent establishments in Ontario.

This incentive would also be available for contributions of cash, property or services by businesses to child care operators if the contribution is used by the operator constructing or renovating licensed child care facilities. Capital costs for playground equipment would also qualify.

This legislation is a companion piece to the government's historic Ontarians With Disabilities Act, which was introduced on Monday, November 23, the same day as this bill. Our bill provides positive fiscal measures to encourage and facilitate the participation of Ontarians with disabilities in the social and economic life of this province.

To support businesses that hire employees with disabilities, the workplace accessibility tax incentive would provide corporations with an additional 100% deduction for qualifying expenditures incurred to accommodate an eligible person with a disability. An equivalent 15% refundable tax credit would be given to unincorporated businesses.

This bill also contains provisions to enhance the community small business investment funds program and the labour sponsored investment funds program. These provisions will increase access to capital for small businesses in communities throughout Ontario, helping them to grow and create jobs. The bill implements the 1998 Ontario budget proposal to further increase the flow in investment capital to Ontario's small business sector and proposes enhancements resulting from consultation.

Tax cuts to create jobs: In order to encourage job creation and growth in high-technology, knowledge-based industries, the bill proposes tax incentives to support the

interactive digital media, sound recording, computer animation and special effects sectors. These incentives will help businesses in these industries to grow and contribute to the development of long-term internationally viable Ontario industries, with jobs for the future.

This bill further supports job creation by reducing the payroll tax burden on small business. The phase-in of the \$400,000 employer health tax exemption is being accelerated by increasing the exemption for 1998 from \$300,000 to \$350,000 for employers and self-employed individuals. In 1999, the employer health tax for self-employed individuals will be eliminated. This measure was enacted in 1996 with Bill 47.

Addressing the underground economy: Tax compliance incentives such as new or increased penalties for failure to comply with corporations tax, retail sales tax and tobacco tax legislation form a part of the revenue-protection measures referred to in the title of this act. Proposed amendments to the Tobacco Tax Act enhance existing sanctions by prohibiting possession of unmarked cigarettes by unauthorized persons and parallel the existing provisions relating to the possession of unmarked cigarettes for the purposes of sale.

Non-taxation measures: This bill also includes non-taxation measures intended to implement other measures that have previously been announced.

On October 22, 1998, the Supreme Court of Canada ruled that Ontario's probate fees are taxes and therefore the regulations which attempted to impose fees were not authorized by statute. The court suspended its declaration of invalidity for six months, until the province can address this issue. The province must react to the revenue issues flowing from the court's decision in order to be able to protect services vital to Ontarians in the areas of justice, health and education. It is important to note that under the new estates administration tax, probate charges will not increase and the government will not get any increased revenue from this measure.

The amendment to the Pension Benefits Act would enable the government to implement by regulation a response to its current public consultation on possible access to locked-in retirement savings in situations of financial hardship or shortened life expectancy. The amendment would also enable the government to implement by regulation possible reform of rules governing life income funds which are a type of locked-in retirement savings arrangement. The government is planning consultation on this issue. The amendment is an enabling provision that would address a limited technical point in the legislation.

The regulations prescribing the circumstances of additional access will be developed following ministry consideration of submissions received during the two consultations. This provision relates to money that was taken out of a pension fund when a former employee terminated employment before retirement. It does not involve access to money or benefits in a pension fund.

The Minister of Finance announced in the May 1998 budget that in light of the agreement between the Ontario Teachers' Federation and the government, the government

would be introducing legislation to amend the Teachers' Pension Act. The Ontario teachers' pension plan is now exempt from the requirement under the Pension Benefits Act that actuarial gains in the pension fund must first be applied to reduce any unfunded actuarial liability of the plan. The amendments in this bill to the Teachers' Pension Act repeal that exemption.

1550

Turning to another non-tax measure provided by this bill, schedule A of the Services Improvement Act amended the Ambulance Act to provide for the transfer to municipalities of full funding responsibility for land ambulance services as of January 1, 1998, and full responsibility for ensuring the proper provision of such services as of January 1, 2000.

This government has proven in the first three years of its mandate that tax cuts create jobs. This year we were able to bring in the 30% cut in personal income tax rates we promised, a full six months ahead of schedule. By spring of this year, we had already announced 30 tax cuts. The deficit has declined steadily. With this bill, the government will bring the number of tax cuts it has made to 67. The measures in this bill will continue to help foster a climate for businesses to create even more jobs and give many more Ontarians the opportunity to earn a good living.

I think we can all appreciate the essential nature of this bill, as it has a wide-ranging and very positive impact on people across the province. People are depending on approval of this act. I urge support for this bill.

Mr Ed Doyle (Wentworth East): I'm pleased to rise this afternoon to discuss this bill, Bill 81, the Tax Credits and Revenue Protection Act. I'm thankful to the member for Halton Centre for his comments today.

In my comments, I'd like to point out that the bill was first itemized in the 1998 Ontario budget, in the past spring. The bill builds upon what this government has been saying and doing since we were elected. It's a government that means tax cuts for Ontarians so that we can create jobs and make Ontario the best place in which we can live, work and raise a family. The bill also addresses the concerns of working families by increasing access to child care for working families who have children. It increases access to capital for small business and works towards a fairer tax system.

The Harris government is supporting job creation by reducing the payroll tax burden on small business. The phase-in of the \$400,000 employer health tax exemption is being accelerated by increasing the exemption for 1998 from \$300,000 to \$350,000 for employers and self-employed individuals. In 1999, coming soon, the tax on self-employed individuals will be eliminated altogether.

We're working towards increasing access to capital for small business through the community small business investment funds. In 1997, Ontario introduced this fund to promote greater access to investment capital for growing businesses with \$1 million or less in assets. Incentives were also provided to encourage labour sponsored

investment funds and financial institutions to participate in this initiative.

The legislation encourages job creation and growth in high-technology, knowledge-based industries with tax initiatives to support the interactive digital media, sound recording business and the computer animation and special effects industries. These initiatives will help these businesses to grow and contribute to the development of long-term internationally viable Ontario industries, with jobs for Ontario's future.

The bill proposes a new \$140-million child care supplement for working families to replace the \$40-million child care tax credit for lower-income families introduced in the 1997 Ontario budget. The supplement will be available to low- and middle-income Ontario families who are working or attending school or receiving job training and who receive the Canada child tax benefit for their children under age seven. Families in this program can receive up to \$1,020 per year for each child under the age of seven. In total, it will help 210,000 families and 350,000 young children across the province.

The first payment will be made following royal assent. If royal assent is this month, December 1998, a lump sum payment will be made for the period July 1998 to December 1998. Starting in January 1999, the supplement would be paid on a monthly basis. Monthly payments will be made directly by the province to the parent and not through the annual income tax return.

As usual, the government acts when there is a need or a problem, as opposed to previous governments which embarked on ideological initiatives, spending millions of dollars that did not create one single daycare space. The Harris government is a government of action and today is helping 210,000 families with their daycare needs.

We are also introducing with this legislation the workplace child care tax incentive. This initiative in the 1998 Ontario budget supports businesses that create additional licensed child care facilities in the province. The workplace child care tax incentive would provide corporations with an additional 30% deduction from Ontario income for capital costs of construction or renovation of licensed child care facilities in Ontario incurred after May 1998. This incentive would also be available for contributions of cash, property or services by corporations to child care operators if the contribution is used by the operator for this purpose.

Thirdly, Bill 81 supports businesses that hire employees with disabilities. The workplace accessibility tax incentive would provide an additional 100% deduction for qualifying expenditures incurred to accommodate an eligible person with a disability. A 15% refundable tax credit would be provided to unincorporated businesses.

Finally, Bill 81 contains a number of provisions intended to improve compliance with tax legislation and to motivate individuals and corporations to meet their tax obligations.

By making a very important change to the tax system in Ontario, we are helping young families obtain child care, we are assisting people with disabilities and continuing to

cut taxes to create jobs. The record gains in employment in Ontario have clearly indicated that people and businesses have confidence in the province and in the province's future. The beneficiaries of this bright future are our children and our grandchildren.

The Deputy Speaker: Comments and questions?

Mr Len Wood (Cochrane North): I listened very attentively to the comments of both members of the government on Bill 81. It sounds like this is another attempt to bring in a large omnibus bill to make major changes. It's a bill with 118 pages and it changes 13 parts of a schedule. It deals with a lot of, I guess, campaign promises to re-elect Mike Harris. It sounds like there's money going out to bribe some of the voters into thinking they're going to get something.

This is the third time this government has tried to bring in legislation to deal with child care. It failed in 1996, it failed in 1997 and now, in 1998, they have what they call the Ontario child care supplement, which is going to do nothing to open up more daycare spaces across the province, which we need. It's an attempt to take money away, money that's been clawed back from social assistance people, money that's been taken out of health care. We heard the coroner's jury report on the sad state of the health care system in Ontario. We know there are large numbers of schools that were going to be closed starting next September and now they want to postpone it until after the election.

We're dealing with a large omnibus budget bill that looks like it's a plan by Mike Harris to try to get re-elected. It's a campaign that is starting here, as we're debating Bill 81, to re-elect Mike Harris. I think we should be electing Howard Hampton as Premier instead.

1600

Mr Bill Grimmett (Muskoka-Georgian Bay): I'm pleased to provide some comments on the speeches by the members for Halton Centre and Wentworth East. I noted that both of them clearly had a good understanding of Bill 81, which is a significant bill in size as well as in scope. It follows up on many of the commitments made by the finance minister in his budget earlier on this year.

I noted from the comments of the member for Halton Centre the tremendous importance of the speeding up of the plan to phase out the employer health tax. That's very important for members such as the member for Halton Centre, who brings with him a business background. He understands the impact the employer health tax has had on small and medium-sized businesses. I thought his comments on that part of the bill were most important and certainly hit home. I know they hit home with the constituents in Muskoka-Georgian Bay.

I also noted in the comments from the member for Wentworth East the importance of the revisions in the bill to the child tax credit. I've had a number of calls about this, a lot of people wondering how the implementation of this will roll out. The member for Wentworth East indicated the importance of this to his constituents. He's also going to be looking very closely at how that's going to be implemented. I think it's going to have a very

significant impact on lower-income families who have children, particularly those families that have children under the age of seven. That's where the amendments are targeted: They're targeted at hard-working Ontario families that have children under the age of seven. That part of the speech given by the member for Wentworth East was particularly cogent and on point and it certainly caught my attention.

Mr Michael A. Brown (Algoma-Manitoulin): I was quite interested in the speeches by both Conservative members. This is a very large bill. There are lots of parts of this bill that actually have nothing to do with other parts. That's why they call it an omnibus bill. I was interested in that they didn't speak much about the downloading of the ambulances. They didn't talk about the difficulty we're going to have, particularly in Algoma-Manitoulin, in places like Elliot Lake, Little Current, Gore Bay, Wikwemikong, Manitowaning, Espanola and various other communities, in sorting out this mess with the downloading of ambulances. I notice they didn't mention that at all.

One other thing I'm quite bemused by is that I recall when I read the Common Sense Revolution there were to be no subsidies to business. I'm not opposed to the measures that are in here, but clearly these are subsidies to business. I was just wondering if they would like to dance around and tell me how they're not subsidies to business.

As I read through further, we come to the child care tax credit, which of course is really going to work like a baby bonus for working families. That's probably a good idea, but I don't hear the government talking very much about how that works and where the money came from to make it work. We all know this is part of the federal government program that applies to all Canadian provinces, that each province was able to administer the money. The federal share in Ontario is \$100 million, or about 70% of this entire program. I just hope when the members stand up to reply they'll clarify some of this information for us.

Mr Steve Gilchrist (Scarborough East): I'm pleased to add a couple of comments as well in response to the speech from the members for Halton Centre and Wentworth East. This bill indeed is a very detailed piece of legislation, a very comprehensive analysis of a number of areas where the government thought it was appropriate to increase the number of tax breaks that are given to various groups within our society, not the least of whom are the disabled and pensioners.

I would direct your attention to part IX of the act, a change to the Pension Benefits Act, which will now allow the minister, in hardship cases, to allow senior citizens in Ontario to access their existing pensions in circumstances that heretofore were not allowed. That is a significant step forward because from time to time people find themselves in circumstances they hadn't planned for, a time of distress, perhaps an emergency within the family, and it's quite appropriate that the minister now have increased flexibility to deal with the needs of those people.

As well, a new section of the Corporations Tax Act will permit the workplace accessibility tax incentive to be

deducted from income. The amount of the incentive is based upon the cost of certain support services and physical accommodations that are intended to enable employees with disabilities to carry out employment functions. The maximum deduction is \$50,000 per employee with a disability. Again, you would hear from our critics opposite that our government has not responded to the needs of Ontarians with disabilities. Right here you see the perfect example of how we've encouraged the workplace, not through edict, not by the sledgehammer attempts of the previous government, but by working co-operatively with them, giving them a tax incentive to change their workplace to accommodate those people who may have a disability. I think this legislation goes a long way to addressing a number of tax problems.

The Deputy Speaker: The member for Halton Centre has two minutes to respond.

Mr Young: I thank my colleagues in my own caucus and in the House for their comments. It's funny, the NDP criticize us when we spend money helping working people; they say we're trying to buy votes. Then, on the other hand, they say, "Why aren't you helping people?" So it's a little hard when you're getting these mixed messages all the time, and from the Liberals as well.

I'd like to take a look at one family that will benefit under the child care supplement. This would be a family, as I mentioned in my address, that has an income of \$35,000 a year and three children. My wife and I were in a position very close to that 10 years ago and there are thousands of families in that position in Ontario today. If only one of the spouses is working it's fairly straightforward, but sometimes it's both of them working part-time or one of them working part-time and one full-time. Sometimes the spouse with the lower income will sit down at the kitchen table and say, "Why am I working?" They add up their cost of living, the cost to get to work — whether it's GO Transit or TTC or their own automobile; if you're taking your car to work your insurance costs go up, you go to work and you have costs to go to lunch with your colleagues. People budget so closely in deciding whether they should work or not, they even sit down and look at the costs when they pass the hat around the office for somebody's anniversary or somebody's birthday or the cost of the coffee break, because those things add up.

This family will receive, under this bill, a cheque monthly for \$155 to do with as they please. If one of them, the mother or father, wishes to stay home to care for the children in the home, that option is available to them. They could use it in various other ways for getting child care. It makes a very tough decision much easier. In fact, \$155 a month could make it easier for the parent to stay home with the children.

The Deputy Speaker: Further debate.

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to continue the debate on Bill 81. There are many aspects of the bill. I'd like to start with the new tax in the bill. It is a new Mike Harris tax that will raise about \$1.5 billion. It's called the estate administration tax. I want to make two points on it. One is that this tax is designed to

raise money off estates. The Supreme Court of Canada ruled that the fees that the province of Ontario was charging on estates were illegal, so this bill is to essentially turn those previously called fees into taxes.

The point I'd like to make on this is that I remember when Mike Harris was in opposition and the Rae government brought in a new set of fees for estates. I remember how angry Mike Harris was on that, and how he objected to those fees and railed against the fees. What we have in this Bill 81 is that not only has Mike Harris adopted the Rae fees, he's put them in the form of a tax, and he did it retroactively. By the way, this bill is retroactive to 1950 — but also for the future.

1610

I understand the need for the province to recover the revenue. I just think it is at least mildly embarrassing for Mike Harris, today of all days, to have a brand new tax when we are dealing with the balanced budget legislation. He's got to get this thing in before that. It's a brand new tax. It raises \$1.5 billion and it is expressly designed to do what he specifically criticized Bob Rae for doing, but more specifically, it's in the form of a tax.

The second point I'd like to make on this is that the reason the Supreme Court of Canada ruled that the fees previously charged for probate or estate fees were illegal was because in the court's mind, and I think most Canadians would agree, if you're going to tax people, you have to do it through legislation, voted on by duly elected people. It's taxation with representation, as we know. The previous way of collecting estate fees was done by what's called regulation, behind closed doors, in a cabinet room with the stroke of a pen.

The reason I raise this is the Supreme Court ruled that illegal. I want to tell the people of Ontario that right now \$5.5 billion in property taxes — you look at your property tax bill — is raised through taxes set by regulation, by the cabinet. I would say that if the courts ruled the estate fees were illegal, in my judgement the courts very likely will rule that Mike Harris cannot set property taxes by regulation, \$5.5 billion of taxes being raised by regulation.

We never debate that. We never have a chance to debate the taxation rate that Mike Harris is setting for education property taxes. It is 100% the responsibility of Mike Harris; it is not here in the Legislature.

That's the first point I wanted to make. I assume, by the way, that I should notify the House that my plan is to share my time with one of our other members, the member for Scarborough North.

The second point I want to make is that the bill makes a very profound change in teachers' pensions. As most members in the Legislature are aware, the teachers' pension plan is a jointly administered plan between the teachers and the people of Ontario, namely, the government of Ontario.

The changes we're dealing with in the bill are being done unilaterally, without the agreement of the other partner. It is, as I say, a 50-50 arrangement. The teachers of Ontario put in half of the money in the pension; the

taxpayers, the people represented by the Ontario government, put the other half in, and it is jointly administered.

What we've got here in Bill 81 is a unilateral move to change the teachers' pension. I would say to the people of Ontario, particularly the teachers, that there was never an opportunity for the individual teachers or the teachers' organizations to come before the Legislature and make their views known.

This bill was introduced, we began debate here in the Legislature, and then there was something called a time allocation motion that was moved and approved by the government, but objected to by the opposition because we felt there was a need for public input. There was never an opportunity for a single member of the public to ever make their views known before the Legislature on this bill.

I would say to the teachers, my colleague our education critic today has communicated to the Minister of Education on behalf of the pension people their concerns. This is a government that will ram this thing through. We've had no hearings, we've had no public input, and I believe that at a quarter to six today the debate is over on this bill. There is no opportunity for the teachers, who have some significant concerns, to ever have input into it.

By the way, I would just say to the public, if you follow what goes on around here, last Monday, a week ago today, a major property tax bill was rammed through this House. There was not a single person, a single group, allowed to come and present their views on that bill. The major organizations that are required to make the property tax system work, the Association of Municipalities of Ontario, the senior elected people, and the clerks and treasurers of Ontario, the senior municipal public servants —

Mr Rosario Marchese (Fort York): On a point of order, Mr Speaker: Would you please check for a quorum.

The Deputy Speaker: Please check for a quorum.

Clerk at the Table (Ms Lisa Freedman): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Deputy Speaker: The Chair recognizes the member for Scarborough-Agincourt.

Mr Phillips: I was discussing the process that we follow around here to let the public know, and particularly to let the teachers know, that even though they have joint management between the government and the teachers on the pension plan, and the changes in this bill were never agreed to by that joint organization, there was never an opportunity for them to come before the Legislature and let their views be known. As a matter of fact, there was never an opportunity to amend the bill.

It's not unique. As I said, it was just a week ago today that the property tax bill was rammed through. The major people who had to try to make the property tax bill work begged for a chance to come here and give us suggestions on how to improve the bill, but the government wouldn't let a single, solitary person come and give us advice.

There was a day of committee hearings, but it was designed exclusively to adopt a bunch of what are called

amendments that the government had to make to its own bill.

Then on Tuesday we dealt with another bill called the Greater Toronto Services Board Act. There too there was never an opportunity for a single person to come and let their views be known in spite of the fact that it has a profound impact on the greater Toronto area.

Among others who were here trying to speak and let their views be known was the regional chair of Durham, Mr Anderson, a well-regarded regional chair. They had some significant concerns and input into the bill, but we never allowed them to even speak for a moment.

Here we are on this major bill that has a huge impact on teachers' pensions. The teachers are saying, "Listen, by law we are joint partners in this; we want a chance to express our views," and there is not even a chance for them to express their views. I regret that very much. It's a government that will ram things through and is forgetting that all of us are here to serve the public, but they won't even allow the public to be heard.

1620

I wanted to chat a little bit about another aspect of the bill; that was the pension part, and I've talked about the probate fees, the brand new \$1.5-billion tax that Harris has introduced here. The third part of the bill I want to talk about is the ambulance part, part I of the bill, and say for the public that what this does is give the minister essentially unfettered power to determine the ambulance service in regions of the province.

Here's the problem with this: Now 100% of the taxpayer cost of ambulances is on the property taxes. It has all been downloaded on to property taxes. If you happen to live in an assessment-rich area, you can afford ambulance service; if you happen to live in an assessment-poor area, it's far more difficult. That's 100% of land ambulance and 100% of public health.

Here are the numbers. These are the government's numbers of how much has been added on to property tax. You may not be able to see the numbers, but ambulances, \$200 million; and public health, \$211 million. That's \$400 million of cost taken from the province and put on to property taxes.

It's wrong in two respects; one is that about two years ago Mike Harris appointed a committee called the Who Does What committee. It was headed up by David Crombie, a well-regarded individual, and there were 14 other people, all selected by Premier Harris to serve on this, to say, "OK, what things should be handled, managed and funded by the province, and what things should be handled, managed and funded by property taxes?"

Crombie went through his proposals, and then he got wind of what the province was planning to do. I remember it very well because it was a press conference that Mr Crombie held here at the Legislature, in a building very close to here, the day before New Year's. It was 3:30 in the afternoon. Because the government was so embarrassed at what he was going to say, in the jargon we use here, they tried to bury the story. They set up this press

conference for the day before New Year's, hoping that no one would pay any attention to it.

But Mr Crombie and his group — remember, they were all hand-picked by Mike Harris — what did they think about putting ambulances and public health on to property taxes? Here's what they said. This is from Mr Crombie and his panel: If the province proceeded to do this, it would "undo much of the work accomplished by the disentangling proposals" — by moving health back down to property tax — "The panel strongly opposes such a move. We are unanimous in" that view. In other words, the hand-picked people who advised Harris said, "Don't do it," and they were unanimous in that, which is quite extraordinary. You take 14 individuals who all presumably have the support and confidence of Mr Harris and they all told him together, "Don't do it." But it's done now. That's \$410 million of health costs taken off the province and put on to property tax.

First, it's wrong. I don't think the quality of your ambulance care should depend on the ability of your local property tax to fund it. It's not what we should be doing in this province. It shouldn't be that your level of ambulance service will be better if the assessment in your area is better.

Equally important is that surely what we are looking for is what's called a seamless health care system rather than, to use the health jargon, these silos where you don't have the elements of health care working together. This, by taking ambulances and putting them on to the municipalities, is clearly building a silo, so I say we should have listened to Crombie; we should listen to our own, dare I say, common sense. My colleague from Manitoulin Island just went over the concerns of his community, about which I happen to know a bit; in fact, now that I think about it, the member raised two cases just last week, serious cases in his area where local ambulance service was threatened. That's a part of this bill that should cause all of us some concern.

The next thing I wanted to chat a little bit about was the child credit issue. I think everybody in the province understands that Harris is getting ready for this election. It will probably be in May. You can tell he's getting ready. He has spent \$50 million of your taxpayer money on clear, blatant political advertising.

I don't mind the Conservative Party spending their own money, and believe me, they're out raising money like we've never seen in this province; I think they've now got \$11 million in the bank. I understand them spending their own money that they go out and raise in fundraising, but now they've spent \$50 million, every penny of it taxpayer money, going out to fund the Harris re-election campaign.

The reason I raise that is the child credit issue contained within the bill here. It's a plan that's retroactive to July 1. It's a plan that was announced in the budget back in early May, as you know. We could have dealt with that in May; we could have dealt with it in June. The people who are affected by that could have been getting their subsidy by now. But no, what Mike Harris has done is quite clever. This is retroactive to July 1, and for the

average family, as one of my colleagues says, it's about \$150 a month. Mike is letting it accumulate, letting it grow, and I guarantee you that probably in February or March these 210,000 families in Ontario will get another one of Harris's propaganda pieces. We'll pay for it. It will have his picture in it and all the nice stories in it. It won't be inexpensive, of course, because a mailing of 210,000 is not inexpensive, as you know, and it will be retroactive to July 1. It's Mike Harris's equivalent of the baby bonus. It will be in many respects that old-style, "Here, I'm going to try and buy your vote for the election."

I would just say that the people I know say: "Why in the world couldn't you deal with this back in the spring? Why have you held this back from me up until now? I have had to pay out all these expenses. Why did you wait until seven or eight months after the budget to finally deal with this?" It's very clear: It's all part of the re-election strategy. It will be mailed out, as I say, with a neat brochure from Mike. I might add that a mailing of 210,000 every month is not inexpensive.

Mr Michael Brown: Canada Post will love it.

Mr Phillips: As my colleague said, "Canada Post will love it," and it may work. The old style may work, where people get that nice cheque with Mike Harris's signature on the bottom and a picture of Mike —

Mr Gilchrist: On a point of order, Mr Speaker: I know the member thinks he has been here long enough that he's on a familiar enough basis with the Premier that he is not covered by the rule that says you're supposed to refer to members by either their ministry or their riding. I wonder if you could direct the member to come to order on that matter.

1630

The Deputy Speaker: That is a point of order. The member has heard it and will address it in this proper way, I'm sure.

Mr Len Wood: On a point of order, Mr Speaker: Would you check to see if we have a quorum present.

Clerk at the Table: A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker (Ms Marilyn Churley): Member for Scarborough-Agincourt.

Mr Phillips: I'd like to continue. The member for Scarborough East has raised an issue with me. I'm taking my lead from him when last Thursday he made an unfounded accusation against one of our members and used the member's name, not his riding, eight times. It was a completely unfounded charge that had no basis or foundation.

Mr Gilchrist: Two wrongs make a right.

Mr Phillips: I know Mr Gilchrist doesn't like to hear this, but any sensible, decent person would have got up and apologized today. I heard no apology from him.

I want to continue on the elements in this bill. I've covered the concern on the pension issue: no agreement with the teachers on it. The probate fee, the down-loading —

Mr Michael Brown: Where does the money come from for that child —

Mr Phillips: Well, my colleague — on the tax bill, the budget bill, I was interested in the 1998 economic outlook because it was instructive to me. One thing I notice is that the province's credit rating — this is it here. Premier Mike Harris has been Premier now for three and a half years and I was wondering what's happened to the credit rating of the province of Ontario. Believe me, I remember that Premier Harris used to attack Bob Rae mercilessly because the credit rating of the province was downgraded three times. Now, Mr Rae was Premier in a significant economic downturn; Mike Harris has been Premier now for almost four years in a time when Canada has been going through a solid economic growth. What's happened on the credit rating? Not a thing.

Mr Michael Brown: It's the same as Bob Rae's.

Mr Phillips: Mike Harris's credit rating is exactly the same as Bob Rae's, three and a half years later. Incredible. Why is that? I'll tell you why it is: Because the credit rating agencies worry about his ability to manage the finances of the province.

I was looking at the financial tables that are impacted by this budget bill, Madam Speaker, and you can see — you may not be able to see, but you can get your own budget book and see — that the debt of the province has gone up \$22 billion. What that means in real human terms for every family in Ontario is that their share of the provincial debt has gone up \$6,000.

Mr Marchese: How is that possible?

Mr Phillips: My friend Rosario says, "How is that possible?" It's possible because Mike Harris decided that he could afford the tax cut, \$22 billion, and every single family, if you look at how much money you now owe, it's up \$6,000. By the way, you're paying interest just on the increase in the debt of about \$500 a year.

Most of my business friends don't believe that. I've got to send them the chart. They say: "No, there's no way that Premier Harris could take the debt of the province up \$22 billion. There's no way he could take it up per family by \$6,000. There's no way that our credit rating hasn't gone way up."

Mr John O'Toole (Durham East): Keep repeating it. Those sound good.

Mr Phillips: Well, take a look at the numbers. I know Mr O'Toole thinks \$22 billion isn't much, but the people in my riding can't believe that the debt's gone up by \$6,000 per family. I wanted to cover that because that's a big part of this budget bill.

On a relatively small matter, there is a part of the bill in here dealing with the setting up of community small business investment funds, and it's not a bad idea, actually. It was in the budget a year and a half ago. This isn't new, this is a year and half old. I can remember in the budget of a year and a half ago, this was a huge priority. This was a very important part of the government's plan for small business. It was a big priority, it's got to get going. Has anybody in the province got any idea

how many of these things now exist, a year and a half later? The answer is zero, none, a year and a half later.

There is one that they tell us is being developed although no one will tell us where it is. It's a bit of a mystery. If you go back and look at the budget of a year and a half ago, this was a big part of the budget. Premier Harris was out trumpeting this. It's the pace they work at: A year and a half later, none of them exists. There's one that's being developed somewhere but it's all a big mystery and no one will tell us where it is.

As I begin to turn over to my colleague, I just want to finally say that on the health side, because we talked about the ambulances, I remember just before the last election — I remember the election too — because it was the time of the federal budget. When that budget came out, I can remember that's when there were cuts to payments from the federal government to the provinces. There were cutbacks in spending. What did Premier Harris say?

Mr Michael Brown: It wasn't enough.

Mr Phillips: That's right. He cheered them on. He said, in the wake of that budget "the spending cut component, which we publicly endorse." It's on the record. I know Harris wouldn't like this to be around because now he's saying: "That dreaded federal government, they've cut spending. We've got to get after the federal government." But Harris sure makes it difficult because he said "the spending cut component, which we publicly endorse." We didn't even do it privately. In fact, I can remember him saying, "We're concerned he didn't cut quite enough." I know he now finds that he was wrong then and that he shouldn't have been saying that he supports those cuts. He's been asked this question: "Would you spend any more money on health care, Premier Harris? Are you not spending enough?" "No, no, we're spending enough." So it's never been a question of whether they should be spending any more money.

1640

Mr Gilchrist: Dalton says you're spending enough.

Mr Phillips: Mr Gilchrist is back, barking again.

The Acting Speaker: Order. Member for Scarborough East, come to order.

Mr Phillips: He's never in order, Madam Speaker, but he loves to try those tactics.

Here it is, the Common Sense Revolution, fifth printing: "...the spending cuts, which we publicly endorsed..."

I know what Mike Harris is trying to do. The federal budget comes out and he'll be railing at the federal government. The problem is he's got himself on record here saying, "I support those cuts." As a matter of fact, if you go back and check the record, you'll find he said, "I don't think they cut quite enough, but I support the general thrust of it."

So here we are with Bill 81. Just to review, because the way the government works, there's virtually no time for debate, no committee time, there's no public input allowed —

Mr Gilchrist: And you've made so many concrete suggestions.

Mr Phillips: Mr Gilchrist, who's one of the leaders of trying to shut these down — as a matter of fact, Mr Gilchrist appeared on Thursday at a committee and tried to stop them from even looking at the Andersen Consulting project. That, by the way, is \$180 million of taxpayers' money, the biggest contract in the history of the province of Ontario, but Gilchrist didn't want it even debated. He tried to stop any debate on it.

That's the one where the auditor said, "Listen, I can't tell you how concerned I am about this \$180-million contract." They're getting paid for work they didn't even do. They took the rates up dramatically. The basis on which the decision was made to hire them, I gather, was because of the people, and then over half the people have left the project. It's \$180 million, and there's not even a ceiling on it. That's the amazing thing. They're going to get more than \$180 million. They were submitting expenses that they had no backup documentation for. The rates went up dramatically. They were actually submitting bills and then charging a markup on the interest costs. It was the sweetheart of sweetheart consulting deals.

But you know what happened, Madam Speaker? Last Thursday, when what's called the public accounts committee — this is the committee that has the Provincial Auditor overseeing the expenditures. This is the watchdog committee. Mr Gilchrist came into that meeting and tried to shut the committee down. He didn't get away with it because luckily the media and the opposition —

Laughter.

Mr Phillips: Sure, he didn't get away with it. He's laughing now, but he was caught. That's what we're dealing with. That's typical process.

Mr Gilchrist: That's right. My one vote would overwhelm all the other members'.

Mr Phillips: I think the public should realize, as they hear him barking over there, which is fairly typical, that — I'll just go through the numbers.

Last Monday, the property tax bill, Bill 79: no debate, not a single individual allowed to appear, in spite of the fact that AMO and all the major people wanted to.

The next day, the Greater Toronto Services Board: not even a minute of public hearings. The regional chair of Durham, wanting to express his views on behalf of the region of Durham, could not be allowed to speak.

Then on Thursday the classic one, where the debate was about to begin on the Andersen Consulting project and who comes bursting through the door, not even on the committee? Mr Gilchrist, trying to shut it down.

Mr Alvin Curling (Scarborough North): Gabbing as usual.

Mr Phillips: Gabbing, but also doing the heavy stuff, trying to stop any legitimate debate.

Actually, I appreciate the chance. I'm glad Mr Gilchrist is here, because he reminds me of the things he does. I appreciate him always yelling over there, because he inspires me to reveal what he's been doing.

Finally, as we turn it over, I go back to the issues in this bill: the new estate planning tax, the \$1.5-billion new tax. I understand the need to collect it, but it enshrines in

law something that Mike Harris objected to in opposition. The child credit one, which could have been begun to be paid back in July, is being accumulated. It's all part of the master plan. It will come out — you can visualize the envelope with Mike Harris's picture in it, and probably in February eight months of accumulated payment. That's the process we're following here.

I'm pleased to yield the floor, as we say, to my colleague and just say that I think the public understands this is just another one of the typical moves by the Harris government.

Mr Curling: I always feel privileged to follow my colleague from Scarborough-Agincourt because of the knowledge and insight he has. Although they may tell you they're not listening, they know that the knowledge of the member for Scarborough-Agincourt is always listened to very carefully. They're sometimes frightened to follow the pattern because they know people will see, wide open, that the Conservative Party, the Mike Harris government, hasn't got a clue about what they're trying to do when it comes to looking after all the people of the province.

It would take about two hours or so to express some of the frustration and some of the concerns I have about this Conservative government, and also the way in which they are handling Bill 81. It's typical, of course, that they try to put omnibus bills in place, to ram everything in at one time without any kind of substantial debate or contribution to it, because they don't believe in that kind of stuff. They feel they got their mandate in 1995, and they immediately lost any capacity at all to listen.

But again, people will continue, as vigilant as they are and as vigilant as the opposition will be, to put forward some of the discrepancies in some of the attitudes of this government. When the time for the election comes about, the results will reflect, very much so, their discerning approach to this government.

We live in a province which we consider to be one of the richest in this country. It's a very rich province: richness in resources, in the sense that we can look after all our people, because that's what government is all about, that those who need support will get support from the government. But what have we seen? What we have seen in the last three and a half years is that the rich are getting richer and the gap between the rich and poor is just widening. The evidence is all over.

This government should be fiscally responsible; in other words, gathering taxes from all the citizens of this province and in the meantime distributing them to the most vulnerable in our society.

Mr Len Wood: On a point of order, Speaker: We've got a very important budget bill before the House and I don't believe we have a quorum. Would you check, please?

The Acting Speaker: Clerk, could you check and see if there's a quorum, please.

Clerk at the Table: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

1650

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The member for Scarborough North.

Mr Curling: Madam Speaker, you should have heard the member for Scarborough East saying that if we do this strategy by not having a quorum in the House, it takes the time out of my speech or the contribution of their speech. It seems to be a typical manner of the Conservative Party that if they can listen to as little as possible of the contribution of the opposition, they like that, even the contribution of people giving their time.

As I was saying, what a government is all about, first and foremost, is to serve those who need power, who are powerless, and those without property. But this government itself serves more those who have power and those who have property. Those who are most in need are not being served by this government. It is the old Conservative, old Republican strategy: "We will empower the powerful and we will give property to most of those who have property. We must serve, of course, those who are in need."

What happens when they do that? They would say, "If we do that, what is left over from the rich will go down to the middle class and those who would like to be middle class." In other words, the old trickle-down theory that says they can feed after the fat and after the rich have been fed, that those who are in need will get the crumbs from the table, but we know very well that this will not work.

This Bill 81, this omnibus bill, couples an enormous amount of different items on the agenda with limited time to discuss them and restricts the public from ever having a contribution to all this and having any presentation. They like that, so they put time allocation to everything. This government has been known to have shut down more debates in the House than any other government we have seen.

My colleague from Scarborough-Agincourt mentioned a very important point, and I hope that the people out there are listening very well because we saw that this government brags about the fact that it's going to cut its deficit and today is introducing legislation that we're going to have a balanced budget.

They all got up and applauded it. Everybody would like a balanced budget, but who are they going to balance it on? On the backs of the poor. They started their first onslaught: "Make sure we give a tax break. Let's cut the taxes and then take it and give it to the rich people, while the poor people pay for it most."

The first move they made was to cut people who were on welfare subsidies 22%. They cut 22% of their money from those welfare recipients. Who got it? It was very clearly evident. Andersen Consulting got it all. They took the money and gave it to Andersen Consulting, and when they couldn't pay Andersen Consulting the amount of money, Andersen Consulting turned around and said: "We'll tell you how to do it. You can have a plan to pay

us over the years. What we'll do, we'll charge interest on the money you owe us, and furthermore, we'll charge another consulting fee on how to do it." They got the big bonus, so when the poor needed that money, all of a sudden it was given to this large consulting company.

Now the fact is, when they are looking for people on welfare, they would have to come up and make sure all the recipients on welfare must show all their assets. Can you imagine? If they have a car, if they have anything, if they have a little savings, they must show it immediately. Andersen Consulting wasn't even consulted in any way on how they get the job. As a matter of fact, the minister herself didn't even know about it, she said, until afterwards. Can you imagine running the show here, trying to save money? Here's someone trying to balance the books, reducing the deficit. But lo and behold, as my colleague from Scarborough-Agincourt pointed out, while the deficit was reduced, the debt increased. You over there have increased the debt to \$25 billion. This fiscally responsible government has, over time, increased the debt.

You would think a fiscally responsible government like this that brags around would have reduced the debt, or if you take money from the people, you would pay down your debt, but your debt has increased. Everyone was saying: "Where is this fiscally responsible government? How come this government that talks about balancing the books has a greater debt?" And the debt is on the backs of the poor. People were looking for greater access, a government that would treat them fairly with legal aid and what have you, but they have cut back completely on the legal aid process.

Not only did the NDP cut back, but you added to those cutbacks and came forward now with a reform of the legal process, to have access. The Attorney General, who is here, came in here and bowed to us all and said, "I have to cancel out many of the people who are waiting for justice in the court system." They no longer could receive justice, because it had been on the books too long. They didn't give adequate funding to the justice system so they could be heard in court, so people who were waiting for justice were denied justice.

I really admire the Attorney General. He's a person I respect a lot.

Interjection: "However."

Mr Curling: As my colleague said, "However," many of the people who were seeking justice did not get justice because it was on the books too long. Many people who were looking for legal aid, as I said, couldn't get it. But what did this government do? They went ahead and paid legal fees to their rich colleague — not only legal fees, they paid all the fees. I wouldn't mind at all if we had looked at the other party, who was not being heard. I'm not judging if the individual is guilty or not; I'm saying there's a legal process there. You know what the Premier stood up and said to the people of the province? "It's a very expensive way to get justice, so I'll pay it off more quickly."

I would like the people out there who are seeking justice in the courts, who cannot afford a lawyer, to ask if

this government will bail them out, if this government will come forth right now and say to them, "I'll pay all the fees for you right now." But no, they turn around to their colleague, their rich buddy, and say, "It's going to cost us too much money if it goes through the court system." Can you imagine? The system that this government is responsible for, they're saying is too costly. "We can't put our colleague through all this, so we'll pay."

I would ask those who have been waiting for their human rights cases for four and five years, who have lost their jobs, who have no money at all to afford this kind of legal support, an expensive legal expense, to ask if this could be paid for. I would like to ask the member for Scarborough East, when he's babbling around and trying to defend the attitude of this government, if, when in his constituency, he will pay the legal fees for the many people who are seeking justice. I want him to recommend to his government that all those who have been waiting for the past two or three years to get their cases heard — will he pay for them? If you want to balance the social injustice that's happening here in our society, would you pay for them? Would you do that? The almost \$600,000 that was paid out — do you know how many court cases and how many settlements that could do? They talk about it being too expensive. Sure, who's paying for it? It's not too expensive for their buddy over there. Not one penny came out of their pockets.

1700

This Premier stands up and says, "If we don't balance the budget, we will take it out of the pockets of MPPs." What sort of hogwash is that? Why don't you take the money right now? Why don't they go into the pockets of the Conservative members here and say, "Pay for the legal fees that you paid for your big buddy over there." The people would applaud you and say yes. But oh, no, it's the welfare recipients' money they took; it's the cutback in daycare, the cutback with hospitals closing where they're saving money, the cutback in education of kids. They use that money to pay their buddy and talk about being a fiscally responsible government, a government that has increased the debt, a government that brags about it all —

Interjection.

The Acting Speaker: Order, please. Member for Scarborough East.

Mr Curling: — an increase of \$25 billion in debt. In the three and a half years that they have been in power, they have not even increased their credit rating. This government that said it is responsible, that said, "We'll wipe out the deficit by the year 2000," has increased the debt and has not even got an increase in credit rating. These people, who are very close to the financial market — all those who can read a balance sheet are telling them right now: "You haven't done well one bit. You haven't fooled us one bit. The Conservative Party of Ontario, the Harris government, has not fooled us one bit. Your credit rating has not yet increased."

Even my extreme socialist friends over there, when they took over — you thought for one moment, "My golly, this province has gone to the dogs." This government has

not even improved it one bit. You have not fooled anyone on Bay Street, Wall Street, whatever big streets you walk on. They said you have not done better, not even better than the New Democratic Party. The Liberal Party balanced those budgets. We balanced them a long time ago.

It's an old thing. Coming here and thinking it's new, like it's sliced bread all over again — you're gleaming and smiling and standing up with applause that you have done a great thing in balancing the deficit, and you will take it out of the pockets of every MPP if they don't, and increase it if they don't a second time. My feeling is that's no effort. The effort I would like to see you make is going to your own individual pockets and paying for the stuff you're doing in trying to balance the budget.

Let me tell you what a Liberal government would do. We don't look at the rich on Bay Street and empower them more or at those with property and empower them more. We feel we are a government to serve all people. We don't divide the rich from the poor, the 905 from the 416, the teachers from the students, the medical practitioners from the patients. We don't do that. We believe a government is here to serve all the people.

We believe that if people work hard and acquire wealth — yes, but not on others' backs. We believe in fair treatment, of course, for those who must be paid proper wages. We believe that women should be paid proper wages, wages equal to those of men, and all will have equal pay and equal access.

Mr Marchese: What about employment equity?

Mr Curling: We believe in employment equity, fairness of training. We believe it very much — not like the NDP. We don't believe in employment equity like the NDP; we don't believe in employment equity like the Conservative Party.

Interjection.

The Acting Speaker: Member for Fort York, order, please.

Mr Curling: We believe that regardless of unions, regardless of access, regardless of whether they are seniors.

If we go back, Madam Speaker — I know that you will fully agree with me — when we speak about access, we speak about access for all. Regardless of colour, class, creed, whether we are old or junior or senior or whatever age, we believe in that kind of access. We believe that if we have access for the disabled, we will not write a little two-page thing and say, "This will hold you over for the time being." We believe that for those who need handouts to support them, they will be there, and we will spend the necessary money to do that — not the necessary money to give the rich so it will trickle down and maybe, hopefully, the middle class who work so hard, or those who want the middle class, are being deprived of that.

Then we can come and talk about a fair tax system, where we can tax everyone freely, not take it away from the poor and give it to the rich. We believe, of course, that any government should face the people upright and say, "We represent all people." In 1995, the people asked for a

fair and compassionate government. What did they get? They got the empowerment of the rich. They asked for fair treatment and justice. What did they get? They got the fact that they can give 12-year-olds guns, but in the meantime punish the 18-year-olds on other aspects of it. The fact is that just for political opportunity they would do that.

This government has not treated the people fairly. They have not in any way looked at the province and said, "While we are looking richer, let us ourselves look after the poor." Here are the people who in 1995 said, "There are homeless in our city who would like homes, who would like affordable access to homes." What they got was that they're on the streets. There are more homeless people on the streets everywhere as you walk along in Toronto and even in other cities around.

Did people get from this government what they asked for in 1995? They got the reverse. They got a government that is in itself so undemocratic that you can't get a good public hearing for any of the bills.

They asked for a government that will listen, but it's a government that shuts down this place whenever it wants and bullies through. This is not the kind of thing we're looking for.

We asked the government for affordable housing. What have they done? They've cancelled rent controls. We asked the government for fairness in every respect. We asked for a government that would not on the backs of children — we are seeing that children are starving in our rich province. We're seeing more poverty among children in our province, this rich province.

Is this the government that said they are prepared to balance the deficit, to balance the budget? At what cost? At a cost to the poor, at a cost to those who need it more, because government is about those who need it more. They don't get that. They abuse the poor. They abuse women in the way in which they have legislated laws.

I tell you that the day will come, and it has come, of course, that people will say, "Enough is enough." Enough is enough. We saw a government that has spent \$47 million, almost \$50 million talking about the things they are doing and saying, "We have done it well." The propaganda, taxpayers' money — who paid for that? Who paid for that again is the poor. You take that money, when you could have given it to people who need it most, to have your propaganda, to put Mike Harris's face on TV and say, "Whatever we are doing, these are tough decisions."

They took \$400 million out of the education system. My golly, they're paying for it now. The teachers stood up and said: "No, this is wrong. We are at the heart and core of it all. This is wrong, what you've done."

They took \$800 million out of the hospitals and they're paying for it right now and will continue to pay for it.

What are they doing now? They know of course that an election is coming. The people know that too. Mike Harris walks around with the cheques of the money he took away from the poor, the money he took out of the hospitals, the money he took out of education. Then with another cheque he's giving them less and saying, "Look at how good and

compassionate a government I am. Here is a big cheque," dropping the cheques as he goes along. Then he gets the applause and the photo ops and all that.

The people are much more intelligent than he would think they are. He feels that they have not watched him and have not seen the things he has done. He has done some awful things. Sure, they will take the money as you put back into the system.

I tell you, the people understand the fraudulent manner in which it was done, we are saying the hypocritical manner in which the process has been played. The people will speak and they will speak very loudly of the way the Harris government is now looking to say — I remember — "We will not raise taxes. We are tax fighters. We will not put taxes on."

They changed the name, but the players are the same. They changed the name to "user fee," and they will bring in the most user fees you can find around here. It's a tax. It is the same government, the same individual, the same Mike Harris who said, "A tax is a tax is a tax." In other words, a user fee is a tax. But today, of course, it's no longer a tax; it's a user fee which he has put on the people.

1710

I see the young pages here as they leave here today for their last week, and they're concerned. I see the expressions on their faces. They're saying: "Will my post-secondary education be guaranteed? Will my parents be able to afford the tuition fees for college?" Do you know why they ask those questions? They ask those questions because they have seen the increase in tuition fees escalated under this government. There are those who want to be trained and they're wondering, if there are programs in place, if they can afford them. They are saying, "I don't think it can be." The OSAP program has been completely dismantled, and they have only loans. I'm telling you, by the time they graduate, the banks will be owning them, \$24,000 or \$30,000 in loans.

Then the law will state, while SkyDome can seek bankruptcy protection, that a student cannot seek bankruptcy protection if they don't have the money, because governments have cut a deal with the banks and say, "You cannot declare bankruptcy; we shall be holding on to you until you pay that money," even if they can't. They're worried. They're concerned about the cost. The government of the day has no concern about that cost.

I want to give them some hope and I'm going to give them hope today. The hope I'm going to give the young people here is that this Liberal government, as your mom and dad go out and vote Liberal and your friends go out and vote Liberal, is a government that will be compassionate enough to make sure that your education will be guaranteed, that you will not have that burden on your back that the Conservative government has put on you. We're going to give you that hope.

We're going to give you more hope. We're going to give the people who are homeless some hope; not only hope, but we will put money there and take action to protect them from being on the street. We'll give all those

people hope and we will invest the money where it's needed most.

We are not here to look at the bottom sheets of a balanced book and say, "That's what we are all about." No. We're about people. With the amount of taxes and resources we have in this province, the amount of wealth we have in this province can be shared. We feel that individuals will not only be empowered but may be carried to the point where they will say, "I am richer, and they are poorer; we'll bring the entire family."

Dalton McGuinty always says that, being from a big family, he knows his values. Many of us know those values, not from Parliament or from policy papers; we know our values from when we were at home, where family believes in bringing everybody together and everybody will be fed. If there is one bread and four of us, we'll cut it in four, not give it to the rich or give it to the stronger in our society or the strongest member of the family. No, we will share with all, because we'll all work together, because by working together we have a better place.

The wonderful thing about all this is that it's easy. It's easy in a province like Ontario, because we are a rich province, because we have the resources to do it. But it becomes complex and harder when you have a government like the Conservative government that just wants to empower the rich and deprive those who need it most and deny people who are disabled access to empower themselves and empower the province.

I have great hope in this province and that the people of this province will make sure that a Conservative government like this, if they don't see the light early, will be cast out. I have hope that the people will elect a government that's more compassionate. We have hope that the government will not borrow on the backs of the young people or the poor to distribute the wealth to the rich and leave out the poor. I have hope, and I'm sure that with all of these bills we will one day see a better Ontario which includes everyone.

The Acting Speaker: Questions and comments?

Mr Grimmett: It certainly is going to be fun to have two minutes to comment on the speeches by the member for Scarborough-Agincourt and the member for Scarborough North. I have to say that since I've been here from 1995 on, I've always been very confused about the position of the Liberal Party of Ontario, especially on tax cuts.

My confusion began during the election campaign in 1995 when the Liberal Party had a position on tax cuts. It says right here in the red book: "Rising taxes also kill jobs. Paying higher taxes than their competitors is the last thing Ontario businesses can afford. As for Ontario families, many can't afford the taxes they're paying right now."

We were then elected on a campaign of doing a number of things, among them cutting taxes in Ontario, and ever since we were elected the Liberals have voted against every single tax cut we've brought in — every one. Bill 81 will now bring the total, if this is passed, to 67 tax cuts.

I'm a little confused because earlier today we had a vote on second reading of Bill 81. There was no sound from the Liberal benches, but technically the vote was passed because no one objected to the vote going ahead. The silence from the Liberal benches on that matter was deafening and I think it's an indication of the ambivalence of that party on just where they're going, not only on tax cuts but also on balancing the budget.

Then today we had the Premier introduce the Balanced Budget and Taxpayer Protection Act. That is a very important piece of legislation, where our government is saying that we're not going to allow future governments to have deficits. We had the Liberal Party today apparently supporting this piece of legislation but I can tell you, from the speeches we've heard today, it's very difficult to believe the Liberal Party really believes in the idea of tax —

The Acting Speaker: Thank you. Questions and comments?

Mr John Gerretsen (Kingston and The Islands): Let there be no doubt about it. I'll tell you what we're not confused about. We are not confused about the deal that your members on the Board of Internal Economy allowed to go through, where in effect \$600,000 of the taxpayers' money was being wasted.

Interjections.

Mr Gerretsen: The member for Nepean knows this quite well. Everybody in the province of Ontario is absolutely outraged at the fact that this government allows —

Mr Young: Point of order.

The Acting Speaker: Just a moment. Take your seat. Point of order; be quick, please.

Mr Michael Brown: He's not in his seat.

The Acting Speaker: Oh, you're not in your seat; that's correct. Thank you for pointing that out.

Mr Gerretsen: Thank you very much, Madam Speaker. It's very interesting that whenever you hit one of these raw nerves of the government, they come up with all sorts of nonsensical interjections. The member isn't even in his seat. As a matter of fact, he doesn't even sit on the government side; he sits in the rump over here, the members who somehow couldn't make it on the proper side of the House, and he dares to say that.

Interjections.

The Acting Speaker: Order.

Mr Gerretsen: All I know is that the people of Ontario are absolutely outraged over the kind of money, \$600,000, that has been used to basically shut up a member and basically not allow the truth to come out with respect to the sexual harassment case. Madam Speaker, you and I know that was the wrong thing to do and the government bears the full blame and responsibility for that.

The people of Ontario are also outraged at the \$47 million that has been wasted on government advertising rather than putting that money into good health care and education programs for which the people of the province are crying.

Mr Len Wood: I listened to both the member for Scarborough-Agincourt and the member for Scarborough North commenting on the fact that the phony tax scheme Mike Harris has brought forward, the 30% tax cut, is hurting health care.

An example of how health care is being hurt in the north: I can remember that Mike Harris, in the 1995 election, went into all the hospitals and the board rooms and said, "There's going to be a little bit of savings in administration but we don't have any plans to cut hospital budgets." Two weeks ago a letter went out to all the hospitals in my riding of Cochrane North — Hearst, Kapuskasing — and to some of the hospitals in the new riding I'll be representing after the next election, Timiskaming-Cochrane, explaining that they're going to cut off all the funding for all the specialists who come up to the north to treat people in their home town. As a result, all the hospitals are going to have to lay off staff now or drastically cut back on the number of hours they use to serve these specialists who come up to the north.

1720

As a result, the northern Ontario travel grant is going to go completely out of control, because instead of bringing a dozen or 15 specialists up to each hospital two or three times a month, now you're going to have hundreds and thousands of people who are going to have to spend money out of their own pockets. Sure, they're going to get compensated a little bit through the northern travel grant, but they're going to be spending hundreds and thousands of dollars travelling down to Toronto and London and the other major areas to get consultation.

The Mike Harris government has directly cut off the funding that goes to these programs in Hearst, Kapuskasing, Kirkland Lake, New Liskeard and a lot of these other hospitals. The patients are going to suffer as a direct result of trying to make the wealthiest people in this province wealthier by a tax cut. It's wrong.

The Acting Speaker: Questions and comments?

Mr Gilchrist: I am indeed pleased to comment on what we've heard so far in the last hour, although I should take a second and suggest to those who would have the Howard Hampton, Len Wood and Rosario Marchese tax protection act that the suggestion that the NDP would claw back tax cuts that were made for people at \$80,000 when they themselves make \$78,000 I think is very obvious.

The members of the official opposition spent the entire hour on tangents, on personal attacks; not one suggestion. They spent an entire hour commenting about, among other things, the lack of opportunity to have debate on this bill and didn't make one suggestion on how the bill could be improved. I have to take from that that the members opposite are happy with the bill and instead took their hour just for pure grandstanding.

When we go back and look at things, their leader at the time, Liberal leader Lyn McLeod, said: "It's time that government started following a policy of zero tolerance for tax increases. A Liberal government will reduce overall taxes by 5%."

The members opposite in the Liberal Party — the member for Scarborough-Agincourt, the member for Scarborough North — have voted against every tax cut we've tabled — every one. I hope when the members opposite go to see their constituents in a few months, they remind them of the fact that they didn't want the income tax cut. They didn't want the tax benefits that we're giving to afford greater access for disabled people in the workplace. They don't want improvements to the Pension Act. They don't want any of the tax cuts this government has delivered.

Mr Tom Froese (St Catharines-Brock): Shame, shame.

Mr Gilchrist: It is shameful, and it's the typical Liberal hypocrisy, the flip-flop back and forth. The bottom line is, when you see that even in New Brunswick the Liberal government there proposed a tax cut in this year's budget, you see how out of sync they are with everyone else in Canada.

Mr Curling: Under this Conservative government, the provincial debt will grow by \$25 billion.

Interjections.

The Acting Speaker: Member for Scarborough East, come to order. You too, member for Nepean.

Mr Curling: I want to say it one more time: Under this Mike Harris Conservative, fiscally responsible government, the provincial debt will grow by \$25 billion.

Interjection.

The Acting Speaker: Member for Perth.

Mr Curling: Although the NDP contributed \$49 billion to the debt in their time, they added \$25 billion. They stand here and say that we have not voted in their favour. Do you know why? Because in your direction you're going \$25 billion more in debt. I ask the people of this province, would you want us to support that, to send the government and you and everybody, on the backs of young kids, into more debt? No. That is why we didn't vote for your phony little tax bills. We see the direction in which you're going.

Who will agree with us? All the credit rating companies agree with us. If they did not agree with us, they would have raised your standing as being a very fiscally responsible government.

Mr Michael Brown: It's the same as Bob Rae.

Mr Curling: It's the same as Bob Rae of the NDP.

I want the people to understand; I want them to know. They know that while you're talking about having balanced books and getting rid of the deficit, you are \$25 billion more in debt, and paying interest on that too.

The Acting Speaker: Further debate?

Mr Marchese: It's always a pleasure to listen to Liberals in this House. It is so good to know that they support everything and also good to know that they oppose everything. It is wonderful to know that they always have a solid position to stand on. God bless that they have two feet, because if they only had one foot, I'm not quite sure where they would land. God bless, it is always an honour to listen to most of them speak.

Interjections.

Mr Marchese: Speaker, is there a problem?

Mr Bart Maves (Niagara Falls): We like the way you started off.

Mr Marchese: It is so nice to have so many good friends. Camera, please, on the left. The member for Scarborough East, one of the most loved individuals in Ontario, is here to my right, making sure that I have enough time to debate the issue. I'm happy they're here, but I would remind the good people of Ontario that as a result of the changes they have made, the third party gets absolutely squeezed in this deal. The Tories get to have as much time as they want, if they want it, and they usually take it; the Liberals usually take all of their time, as they do; and the poor third party gets squeezed like a bottleneck. Picture that: like a bottleneck: The fingers can barely get around, so tightly squeezed the debate is becoming in this House. But we still have a few minutes and that's all we need to make our points.

Mr Gilchrist: It's quality, not quantity.

Mr Marchese: I suppose.

There is so much to say because, again, this is a magnum opus. Many of the lawyers would know what that means in Latin. It's huge, and it's an attempt, of course, to cover so much as an omnibus bill because they can't seem to get anything right in the first place. That is why it's a compilation of so much; that's why the word "omnibus," Latin once again: to cover so much that they do so artfully.

Mr Len Wood: Child care: They had to redo it. Three times they had to do it.

Mr Marchese: Child care: Three times they had to deal with this particular matter. It's in this bill.

This bill was introduced a couple of years ago, a \$200-million child care program.

Are my Tory friends leaving me?

Interjections.

The Acting Speaker: Order, please. Come to order.

Mr Marchese: Please, make your way across so that I can be free to have 10 minutes, or sit quietly here while I make my speech.

Three times they tried to fix this problem. It was announced in 1996 and nothing happened. That was scrapped. Then it was reannounced in 1997, and that was put into a credit kind of system, a tax credit. I guess that wasn't good enough either, you recall, Speaker, because now this program is dead, making room for yet another program. It's a direct payment: \$85 for every child under seven.

Interjection.

Mr Marchese: The member for Cochrane North, who would have liked to have spoken but there isn't enough time, said, "This creates no new child care spaces." God knows they are needed, and so many working women are hoping that this fine Conservative government would make room, would make way, would release a few bucks so more spaces could be had, so people could be working. They haven't done it.

Interjection: The speech started so much better.

Mr Marchese: I've got to attack the Liberals; I did. Now I'm coming to you. It's a balanced approach.

Now they want to give \$85 for every child under seven. It's a re-election ploy.

Mr Len Wood: Trying to buy votes.

Mr Marchese: Trying to buy votes. It's bribing those poor people.

Interjection.

Mr Marchese: Sure it should hurt you. It should hurt you, member for Scarborough East, and now it's time to go perhaps.

Interjections.

Mr Marchese: What we've got here is a serious problem, an attempt to buy votes with 85 bucks. It's a good Christmas package.

1730

Interjection: I have to go.

Mr Marchese: Goodbye, my friend. We'll see you again.

They came to help me out. When I was beating up on the Liberals they were here and now I'm beating up on them and they can't take it.

Interjection.

Mr Marchese: Thank you, member for Nepean.

Speaker, 85 bucks, what a good gift to give someone because people out there say, "I could use \$85."

The Acting Speaker: Take your seat for a moment. It seems really chaotic in here to me and perhaps you'd agree with me. Would members please take their seats. I'm having trouble hearing the member for Fort York.

Mr Marchese: Thank you, Speaker. I'm glad to have some silence so people can hear what I've got to say.

On the child credit stuff, on this new \$85 tax gift that people are getting, the member for Halton Centre talked about how this is going to benefit the working people, the working poor. Remember that? He said that about an hour ago. It almost makes it appear like they really care about those working people, about the poor and all that.

Mr Young: Oh, come on.

Mr Marchese: The member for Halton Centre says that's not fair. Let me tell you how fair that is. You remember the UN committee in Geneva that conducts periodic reviews of how countries live up to their obligations under the International Covenant on Economic, Social and Cultural Rights. They beat up on this Conservative government and they certainly beat up on the federal Liberal government as well. It was a fascinating report. The committee slammed Ottawa and the provinces for having "adapted policies which exacerbated poverty and homelessness among vulnerable groups during a time of strong economic growth and increasing affluence." They beat up on the federal Liberals and the provincial Tories, and rightfully so. It's an embarrassment, many writers have written.

Most Canadians are getting wealthier but about five million of our people in Ontario, including 1.5 million children, live on the poor side and are falling behind in good economic times. What do the Tories have to say to that?

Mr Len Wood: Take from the poor, give to the rich.

Mr Marchese: They have been taking from the poor to give to the rich. It's a disgraceful act by these Tories.

Jean Chrétien, that fine Liberal, and his cronies up there and Mike Harris have slashed billions from social programs, shoving people deeper into poverty and into distress. And they boast about 85 bucks that they give to the working poor and the working people to give them a hand up, I'm assuming. They get beaten up by that group that conducts periodic reviews on how countries live up to their obligations.

Ottawa and Queen's Park hardly even acknowledge a rich-poor gap, much less express concern about it. What a wonderful performance it must have looked like to witness those civil servants from the federal and provincial level. Ottawa ignored the question on how many people have been hurt and how badly, although welfare has taken a beating coast to coast, as have hospitals, and university fees have soared. Ontario's reply was roughly the same as Ottawa's response.

"Why has Canada allowed more people to fall into poverty at a time of great growth?" was the question that was asked of them. Ottawa acknowledged the high rate of "relative poverty," but here too the feds didn't have a word to say about why those people have been pushed deeper into misery. Ontario got high grades, evidently, for being very, very brief. "Presently, there is no standard measure of poverty," was the answer the civil servants gave to that committee on the issue of the question of poverty.

Food bank use has doubled in the past decade and the questions were asked: "Why has Canada let this happen? Is this consistent with article XI of the covenant? How many children who use food banks go hungry? How many parents?" Again, both governments dodged the question. In Ontario the response was, "The government of Ontario does not fund food banks and does not collect statistics on food bank usage," and then a few words about programs to help the children.

"How many people are homeless in Ontario and is it becoming an emergency?" "The provincial government does not collect data that would reflect the extent of homelessness in Ontario cities."

On another question, "How many families have been forced to move out of homes or have been evicted because of social assistance cuts?" "The number of evictions resulting from non-payment of rent has not been tracked by the courts and, therefore, no data exist."

What a catalogue of embarrassing answers those civil servants have given. But it's not their fault. They reflect the government in power, governments like that the member for Nepean — the camera over here — supports. Their answers reflect their policy and that's why they look bad.

You, the good people of Ontario, have to assess to what extent these bills, which are bills designed to support business — the member for Halton Centre, the member for Wentworth East, both have said, "This is a bill that makes more capital available to business." The member for Wentworth East said, "This legislation encourages job

growth and tax initiatives to business." It's all about business. There is nothing in this bill that supports working people, those who earn modest incomes. They work harder, longer, for less, and it gets worse and worse. More and more people are working at two or three jobs to make ends meet, working harder, longer, for less.

Yet we have the Fraser Institute, again friends of the member for Nepean and others, who are trying to develop a new definition of "poverty" so that fewer people would fall victim to the dreaded disease called poverty. They're redefining it.

The Fraser Institute is a conservative think tank. Certainly they're trying to help the Liberals too, I agree. They're redefining poverty and they also have invented something new. Its name is productivity. It used to be that the Fraser Institute attacked deficits; now it's productivity, meaning people have got to work harder because they're presumably lazy, and certainly we can't give them any more money because presumably they're getting too much money as it is. They have not had a raise in seven or eight years, including in good times, yet the new Fraser Institute types at the federal Liberal level and the Conservative level here are saying: "We've got to produce more. People have to work harder." They are working harder, longer and more, for less and less, and people understand that.

When we have these bills that help the business community, what's contained in here is no worse than the tax cut they have given to the richest Ontarians in this province. They had to borrow \$22 billion or so to give out \$6 billion to their wealthy buddies, and \$2 billion of that goes to the richest friends —

Mr Wayne Wettlaufer (Kitchener): Don't point at me.

Mr Marchese: — that the member for Kitchener knows very well; two billion bucks. The member for Nepean knows that too. Giving it away, borrowing money they don't have to give money to wealthy Ontarians.

Good people of Ontario, how does that sound to you? We pay, the children, our children pay for that miserable kind of Tory policy that we see put in place.

Mr Young: This is awful.

Mr Marchese: Of course it's awful. The member for Halton Centre is leaving because he knows it's awful. I'm glad he's leaving this place. He should be leaving this place because it has been an assault on the working poor and the working people of Ontario.

There's so much more. The member for Scarborough-Agincourt talked about the probate fees and he talked about Bob Rae increasing the probate fees. It made it appear like we were the ones who did this. The reason the Tories made it retroactive to 1950 is because every government imposed them, which includes Tories of the past, Liberals of the recent past and us. What's more condemnable is that the Tories attacked us when we did it, and now this fine mess of a people have been creating so much more chaos in this province which we've got to deal with.

1740

Speaker, you've got to help me out here now. Has my time run out? I need to know.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): You have 12 seconds.

Mr Marchese: One more minute? God bless. The clerks are so precise.

The member for Scarborough-Agincourt talked about the credit rating. These Tories never mention that. But you remember Mike Harris when he was here in opposition: "Oh, the credit rating went down when the NDP was in power. Imagine." Under three and a half or four good years of economic productivity, of doing well, the best times we've ever had, and their credit rating has not improved. Can you explain it, fine member for Nepean? Of course you can't.

They're bringing us down. Even in good economic times, these Tories are pulling us down. The middle class is becoming extinct and the poor are getting poorer while their Tory buddies are getting more and more money in their pockets that they do not need.

I oppose this bill and will be voting against it.

The Acting Speaker: Pursuant to the order of the House dated December 9, I am now required to put the question.

Mr Young has moved third reading of Bill 81. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

Those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members; a five-minute bell.

Aha, I've got a letter just in the nick of time. It reads, "Dear Madam Speaker" — he even changed that. Congratulations.

"Pursuant to standing order 28(h), I would like to request that the vote on Bill 81 be deferred until December 15, 1998. Thank you for your assistance in this matter.

"The Honourable David Turnbull

"Chief Government Whip."

So the vote is deferred.

EMERGENCY VOLUNTEERS PROTECTION ACT, 1998

LOI DE 1998 SUR LA PROTECTION DES TRAVAILLEURS AUXILIAIRES EN SITUATION D'URGENCE

Mr Maves, on behalf of Mr Flaherty, moved second reading of the following bill:

Bill 92, An Act to amend the Workplace Safety and Insurance Act, 1997 / Projet de loi 92, Loi modifiant la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): Madam Speaker, I believe we have unanimous consent to divide the time between now and 6 o'clock equally.

The Acting Speaker (Ms Marilyn Churley): Is that agreed? Agreed.

Mr Bart Maves (Niagara Falls): It gives me great pleasure to commence debate on second reading of Bill 92, the Emergency Volunteers Protection Act. Our government has worked hard to support those selfless individuals who volunteer their time and talents to the community. We believe giving a higher profile to volunteerism will encourage others to come forward.

Volunteers are often the visible glue holding communities together. As anyone who has ever lived in small-town Ontario knows, smaller communities depend on the commitment and courage of volunteers to come to the aid of their neighbours in times of crisis. These courageous individuals need to be assured that in the unfortunate event of an injury they and their families would not face undue hardship.

Bill 92 would ensure fair treatment for volunteer firefighters and ambulance crews injured on the job. It would give municipalities the flexibility to choose a level of compensation coverage that would promote volunteerism. Better still, it comes with only a minimal extra cost to Ontario municipalities.

I would like to thank municipal leaders and volunteer firefighters for bringing this matter to our attention, as well as the member for Wellington, Mr Arnott.

An extraordinary amount of correspondence has been received by government members on the topic. This outpouring is a testament to the value municipalities and their taxpayers place on volunteer firefighters and ambulance workers. In no particular order, here are some of the townships, counties and municipalities that contacted us. As you listen to the communities being named and then locate them mentally, you'll notice they share one thing in common: They have placed their security and their families' security in the hands of these courageous and selfless volunteers.

The township of Maryborough; Puslinch fire department, Puslinch township; town of Palmerston; Chatham-Kent; township of Perry; Port Elgin fire department; town of Ajax; town of Brighton; Springwater township and fire department; City of Port Colborne in Niagara region; town of Seaforth; township of West Perth; town of Perth; Oro-Medonte township; and the city of Orillia.

There are many, many others that wrote in. I must say that in the 61 hours and 26 minutes of debate that we had on Bill 99, which of course this act amends, we didn't really have anyone come in and make a presentation about this problem in Bill 99. That's why it's important that this correction is being made. The members opposite should know that if they go back and look at the debates on Bill 99, they'll find that this was an instance that wasn't brought to anyone's attention. It's something that didn't come up in those hearings.

We're delighted that those people from those townships and those fire departments and Mr Arnott from Wellington caught this problem and that all three parties today have agreed on the changes needed to the legislation.

The president of the Oro-Medonte firefighters' association, I believe, said in a letter to the minister: "Our municipality is served by 96 volunteer firefighters, covering more than 350 square miles between Barrie and Orillia. We are volunteers because we want to serve our community."

He goes on to say, "I urge you to correct this as soon as possible and make this a win-win for all involved." That is exactly what the government is doing with Bill 92.

Minister Flaherty also asked me if I would mind mentioning Mr Joe Casey, the deputy fire chief of Oro-Medonte, who has been very helpful to us with Bill 92.

This bill has already attracted unanimous support, as I said, from all three parties. That this is true is a clear sign that this government and this House is listening to the sounds of those communities —

Mr David Caplan (Orillia): You screwed up.

The Acting Speaker: Order. Member for Orillia, come to order.

Mr Maves: — and the concerns of volunteer firefighters. In the government's case, we are listening and we are acting. It is the right thing to do.

As I said, through 61 hours and 26 minutes, this was not brought to our attention by the members opposite or by members of the public or townships. We appreciate that it did come to our attention. We appreciate all those townships and all those volunteer firefighter associations that did bring this to our attention as well as the member for Wellington, Mr Arnott.

The Acting Speaker: Further debate?

Mr Dwight Duncan (Windsor-Walkerville): I am pleased to join the debate on this particular bill. Let me begin by saying that the official opposition will support the bill in its entirety.

I want to respond for a few moments about why we are doing this bill. I guess we should be happy because, unlike property taxation, this is only the first rewrite, not the seventh rewrite. When the government passed Bill 99 with 61 hours of hearings, that sounds like a lot to the average person out there listening. What the government forgets to tell you is that it was a complete overhaul, a complete rewrite of workers' compensation legislation in this province, and what the government did in effect was jam it through. Despite the fact that they have all the resources of government behind them, despite the fact that numerous individuals made representations to the opposition about this issue, nobody on the government side did anything about it.

Mr Caplan: Because they don't listen.

Mr Duncan: They don't listen. They dilly-dallied and they heard from a township here and a township there and from volunteer firefighters, and they continued to dilly-dally. Finally, to his credit, a member of the government bench had to bring forward legislation to force his own government to deal with this situation.

Let's remember what that situation was. That government, the Harris government, ignored small-town Ontario. It ignored the thousands of volunteer firefighters in this

province who risk life and limb to protect us, and then the government didn't even have the decency, the courtesy to respond in a timely fashion. It relied on one of its own members, through a very critical piece of legislation, to force the government.

1750

The government would have responded much more quickly if it was the president of a bank or if it was the Health Services Restructuring Commission. They could close the Hotel Dieu Hospital in St Catharines faster than they can amend a bill like this, because their priority is closing hospitals. They can close schools faster than they could introduce this little amendment to the legislation. By the way, I'll remind the government members who spoke earlier that this amendment is simply about restoring what they took away; it's simply about that. It's also about the importance of public hearings, of public consultation and how we write our laws and regulations.

Since it came to office, this government has insisted time and time again that it can simply push legislation through without thinking of the consequences. How many times has that happened in the life of this government? We see a funding formula in education that has now been thoroughly discredited, so we have to rewrite that. We have to come in and bail out and pretend that we didn't cause a crisis in education.

It's really quite humorous when I hear the member for Niagara Falls try to suggest that the government looks anything but silly in this whole episode. It's unfortunate, because this is something, thank goodness, that due to the efforts of a government member is being corrected, but there are literally dozens and hundreds of mistakes that this government has made because they have introduced legislation and regulation and haven't thought through consequences, haven't consulted.

The property tax mess: seven bills to finally get it right.

Interjection: They haven't got it right, though.

Mr Duncan: And they still don't have it right.

The education funding formula: What's going to happen to that? Where is that going? How many schools will eventually be closed?

What about hospital closures? I paraphrase, but I remember Mike Harris saying, "It's not my plan to close a hospital." We are up to what now? Are we at 40 now?

Mr James J. Bradley (St Catharines): Over 40.

Interjection: It's 45.

Mr Duncan: It's 45 hospitals.

This government tries to claim competence. This is an example of incompetence. You ignored the needs and wishes of small-town Ontario and volunteers right across this province. Shame on you. We'll support fixing your mistakes.

Mr Bud Wildman (Algoma): In the few minutes that I have in the agreement among the parties, I want to say clearly that we support this legislation and we see it as a victory for the member for Wellington, who brought the matter before the House and who highlighted the problems with the legislation his government had introduced previously and said that it had to be fixed, that it had to be

remediated to protect the volunteers who give of their time, their resources and their efforts to protect life and property, particularly in our small communities across Ontario.

I know this has been a major issue in my riding, and I know the member for Wellington has many small communities in his riding where this is an important matter as well. I think it's a victory, though, not just for the member for Wellington and for this Legislature, but for those very volunteers, who work so hard on behalf of their communities across Ontario.

I must say that I find it a little bit amusing that the member for Niagara Falls would say that somehow the opposition is at fault for allowing Bill 99 to get through the Legislature because we didn't bring this matter up. All that means is that the government was so incompetent that it convinced itself and even the opposition that this was not a problem. In fact, they should have known it was a problem, and they would have if they had taken the time to consult with the people who are affected by Bill 99.

The problem with this government, as it often is with people who think they know everything, is they don't listen. Having known the member for Wellington for so many years, I know that he is an exception on that other side. He actually does listen to what the people of his constituency have to say. He is concerned about the people in his riding, whereas the Minister of Labour and the Solicitor General stood in this House repeatedly and said: "There's nothing wrong with Bill 99. Everything is all right. All the concerns that have been raised by the firefighters' associations across Ontario are just scare-mongering, and all this is is a bunch of people who are concerned about the status quo."

Mr Maves: Who was the minister at the time, Bud?

Mr Wildman: Let's see. Who was it?

Interjection.

Mr Wildman: The Minister of Health, Mrs Witmer.

Interjection.

Mr Wildman: Well, you Tories all look alike. It's hard to tell the difference between them, except there is one diamond in the rough, the member for Wellington, who stood up for the people of his constituency and who listened to the people of his constituency and wanted to resolve this.

I'm being a little facetious, but I do seriously believe that this is a victory for the people of small-town and rural Ontario, because all of us who live in those parts of the province owe so much to the women and men who get the training and do the work and go out for the practices week after week and who respond to emergencies, whether it be a home fire, a fire in a business, a serious emergency health problem or, in my case in particular, accidents on the highway where the first response is usually the area volunteer fire department. They get there usually before the ambulance and the police are usually the third to arrive at the accident, just because of distances.

It's so important that we have people who have the training to know how to stabilize an injured person, who know what action to take to protect property and to evacuate people who may be in danger, and those people should not be concerned that if they get hurt in responding to an emergency they will not be protected. Those people deserve to know that their jobs will be protected and that if they have to collect compensation benefits, they will be adequate to help them provide for themselves and their families. That's what this bill does, that's why I support it and that's why I pay tribute tonight to the member for Wellington.

The Acting Speaker: Mr Maves has moved second reading of Bill 92. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

It now being 6 of the clock, this House stands adjourned until 6:30 this evening.

The House adjourned at 1759.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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		Kitchener-Wilmot	Leadston, Gary L. (PC)
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		Lambton	Beaubien, Marcel (PC)
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Fort York			
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Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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**Legislative Assembly
of Ontario**

Second Session, 36th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 36^e législature

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of Debates
(Hansard)**

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Monday 14 December 1998

Lundi 14 décembre 1998

Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 14 December 1998

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 14 décembre 1998

The House met at 1835.

ORDERS OF THE DAY

Hon Charles Harnick (Attorney General, minister responsible for native affairs): Mr Speaker, I believe we have unanimous consent to consider third reading of Bill 92 this evening.

The Acting Speaker (Mr Michael A. Brown): Agreed? Agreed.

EMERGENCY VOLUNTEERS PROTECTION ACT, 1998

LOI DE 1998 SUR LA PROTECTION DES TRAVAILLEURS AUXILIAIRES EN SITUATION D'URGENCE

Mr Maves, on behalf of Mr Flaherty, moved third reading of the following bill:

Bill 92, An Act to amend the Workplace Safety and Insurance Act, 1997 / Projet de loi 92, Loi modifiant la Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail.

Mr Bart Maves (Niagara Falls): As I had the opportunity to speak on second reading, I'd like to offer the remaining time I have to the member for Wellington.

Mr Ted Arnott (Wellington): It's a pleasure for me to speak tonight to Bill 92, An Act to amend the Workplace Safety and Insurance Act, 1997. This bill, in layman's terms, is intended to ensure that the volunteer firefighters in our communities in Ontario, if they are hurt, have the compensation they deserve and the return-to-work provisions they need.

I've been very pleased to hear the debate that transpired late this afternoon. I'm glad there's a spirit of non-partisan co-operation to solve this problem. I guess we'll debate it for about half an hour in total between second and third reading, and that's something very significant. It is important that we put aside partisan considerations.

The opposition parties have highlighted something and the parliamentary assistant has asked me to inform the House of something: It's important that we note that Bill 92 is intended to correct a drafting error and an oversight that took place under Bill 99. It was not brought to the attention of the government by anyone. Unfortunately it was an oversight, but we are intending tonight to correct that problem.

This issue was first brought to my attention by the town of Palmerston in a letter to me in June 1998. In it the town indicated to me that volunteer firefighters "put their lives on the line every time their pagers go off, day or night, seven days a week, and if one of them should be injured in performing this position, the policy of the WSIB should be to compensate these volunteers at the maximum amount that we, as their employer, pay on their behalf.

"Your assistance in amending the policy of the WSIB and ensuring that all volunteer firefighters, which perform such an important and vital duty to the taxpayers and inhabitants of their respective fire service area, be treated differently simply because of a difference in their respective chosen occupations? Kindly utilize your position and influence to ensure that the appropriate coverage of these integral and often overlooked volunteer firefighters organizations is looked after."

I have been pleased to bring forward a bill to correct this problem, Bill 75. As has been pointed out previously in the debate, it's similar to the bill the government is bringing forward; in fact, it's an identical bill.

I was pleased to hear the comments of the member for Algoma who spoke in support of the bill earlier. He was quite right to indicate that our volunteer firefighters truly do embody the true spirit of what it means to be a volunteer. What they do in our communities is very time-consuming, whether you talk about the training they have to undergo to do the job they do or the preparations they undertake to be ready to respond to an emergency when an emergency takes place.

We didn't talk about the danger aspect that many of these volunteers and their families routinely live with. It is very important that we note how important they are to our communities.

As the member for Algoma indicated, they are very often the first emergency response we have in many of our communities. Whether it be a car accident or a fire or another kind of accident, they're the first on the scene to help, and in many cases they risk their own lives to save countless other lives.

I want to thank many of my colleagues who have supported my Bill 75, and now Bill 92, in the Legislature: the member for Durham East who was very supportive, the member for Grey-Owen Sound, the member for Lanark-Renfrew, the member for Simcoe East, the member for Oakville South, the member for Norfolk, the member for Oxford who indeed served as a volunteer firefighter for some 25 years in his home community, the member for Dufferin-Peel, the member for Guelph, the member for

Muskoka-Georgian Bay and the member for Perth. At the cabinet it received great support from the Minister of Health, the Minister of Energy, the Minister of Labour and the Solicitor General.

All the members on our side were very supportive and, in particular, I wanted to thank those I worked with.

I want to say to all members of the House, thank you very much for your support to unanimously pass this bill this afternoon. I appreciate your efforts to help us bring this issue before the House.

Mr David Ramsay (Timiskaming): I'm very pleased to stand in my place tonight to speak to this bill. It gives me an opportunity to commend the member for Wellington for the good work he did in bringing this issue forward, basically to notify the government of the error in past legislation they brought forward.

It really shows the role of a legislator in this House. While legislation in the British parliamentary system, especially in this country, tends to be dominated by the executive branch, ie the cabinet and the government of the day, there certainly is room for private member initiatives.

This is one example where there was an omission in previous government legislation and the member brought it forward in the form of a private member's bill. He encapsulated this error so clearly that the government understood they should adopt this and bring it forward as a government bill, and that's why we have Bill 92 before us, An Act to amend the Workplace Safety and Insurance Act. It's really because of the good efforts by the member for Wellington. I commend the government also for picking this up from him. It was necessary that it be done.

I think most Ontarians who live in communities served by volunteer firefighters understand, as the member for Wellington stated earlier, the importance of volunteer firefighters across this province. Men and women who have their regular day-to-day jobs go into the training, join the local firefighting corps and risk their lives when they're called upon in their community to extinguish a fire. This happens right across this province.

We're talking about fire departments that don't necessarily have all the equipment that a professional fire department has. We're talking about people who don't have all the training a professional firefighter has. Basically, they're amateurs. They're there to help their community in a way that many of us are unable to help our community. Many of us do other types of volunteer work. We can do that without putting our lives at risk. Volunteer firefighters put their lives at risk every day when they're called to extinguish a fire. They do great work for the members of the community and I know are very much appreciated by the community.

In fact, in many of the smaller communities across rural Ontario, the volunteer fire department can be the nucleus of the community, a group that not only does the very obvious of carrying out fire inspections and fighting fires, but also, on a voluntary basis, helps the community in other ways — organizing the food bank, helping those who are less fortunate than ourselves — doing a lot of

good work in the community because they are a team, they're organized and they're ready to serve.

It's fitting that we make sure those people are protected in their volunteer role, for putting their lives at risk and that if they are injured, they are covered by insurance so that in regard to any injury that comes to them the community in turn takes care of them and covers them. That's very important.

I'd again like to congratulate the member for Wellington for bringing this forward. When that happened, all of us got letters from volunteer fire departments right across the province asking us, in fact begging us, to make sure that we would support the bill. We all wanted to do that and were prepared to do that and stated so in this House.

When the government realized that there was so much support for this and that there had been an oversight in its previous legislation, it finally had the foresight to recognize that and to adopt this as a government bill.

But I think that somewhere on it should have the name Ted Arnott because he's the person who brought it forward and I congratulate him for that. Speaking on behalf of the Liberal caucus, we will be supporting this piece of legislation.

Mr David Christopherson (Hamilton Centre): I am pleased to rise not only to speak to but also to acknowledge our caucus's support for Bill 92 and to offer the compliments that are due to the member for Wellington, Ted Arnott, for his efforts in this regard.

Certainly, no one can question the contribution that volunteer firefighters make in large parts of our province. In some communities it's beyond just a service; it's a part of the social life, a part of the planning exercise in terms of informal discussions about the future of a community. We need to recognize that, and the government needs to recognize the importance of volunteer firefighters to public safety and to quality-of-life issues, particularly as they relate to the smaller communities where volunteer firefighters offer up their services.

But let's be clear about something. I don't think it's been entirely clear what is before us and, more importantly, why it's before us. This government brought forward Bill 99, an outright attack, a vicious, unprecedented attack on the rights of injured workers in this province and rushed the process through, and at the end of the day found out that in their Bill 99 this government had hurt volunteer firefighters.

They may say that it was a drafting error, that it was an oversight, and that may very well be, but the point is that because you rushed the process and yet again denied democracy an opportunity to run its course, this didn't get picked up. This is why when you have to make pieces of legislation that affect a lot of Ontarians in a serious way, you take the time to allow proper and full debate in this place, and proper and full consultation in the communities across Ontario that are affected.

We had commitments from the then Minister of Labour: "Yes, there will be province-wide public hearings on Bill 99. Don't worry, member for Hamilton Centre, we know how important this issue is to working people and

injured workers. We know how many millions of people are affected by it. Don't worry, we're going to do that. You're always hollering that we don't care about democracy. We're going to take care of that. Don't worry about it."

What did we get? We got six days, and one of those days was split between two communities, in the dog days of summer. The intent was obvious. They wanted it to go through as quickly as possible and to go into as few communities as possible.

Mr Steve Gilchrist (Scarborough East): Oh, what a shame. You had to work like all the other workers in Ontario. Imagine having to work in the summertime.

Mr Christopherson: I hear the member for Scarborough East babbling over there on the other side of the House. Let me point out that on changes to the Employment Standards Act, where the government itself said these were minor housekeeping amendments, we were able to hold them to four weeks of province-wide public hearings because we made the case that, first of all, it wasn't what you said it was and, second, it was the Employment Standards Act.

This is a crucial piece of legislation affecting workers in the province of Ontario, particularly those who don't benefit from a collective agreement. Four weeks we got on something you called minor and housekeeping, and on a piece of legislation that you acknowledged will affect millions of workers and their families, six crummy days. You rammed it through and then you wonder why people like volunteer firefighters got sideswiped in this process of yours.

1850

Let's understand why this is here and let's more fully understand why it's going through here so quickly. It's going through quickly because as much as we would love to twist as much of the political benefit as we could out of pointing out how much this government hurt injured workers by ramming through Bill 99, it's more important to us to be part of fixing the problem and making sure that volunteer firefighters aren't left vulnerable. That's why this bill is getting the rare treatment of second and third reading on the same day.

But make no mistake: This is about correcting a problem that the Tories created and that was exacerbated by their denial to have full and proper province-wide public hearings, where there was every possibility this issue would have been picked up, would have been talked about, amendments would have been put forward, and it wouldn't have put volunteer firefighters in the line of danger economically, which the bill ultimately did. It all could have been avoided if they had just followed the usual democratic tradition and given people, even those who oppose them, which is most, the opportunity to be heard.

When we talk about what you've done in the process of ramming through Bill 99, because that's what this relates to — Bill 92 is an amendment to that — we've got to talk about what else happened in Bill 99. Why didn't this get picked up? Because Bill 99 was such a vicious attack on injured workers, hurt them on so many fronts, this just

didn't stand out. That's unfortunate, but it didn't because there were other huge issues in there in addition, such as the fact that as a result of Bill 99, \$15 billion is being stolen out of the pockets of injured workers and \$6 billion of that is being given back as a direct financial gift to your corporate pals. That's what happened with Bill 99.

You eliminated the Occupational Disease Panel, a panel of international renown that was there to discover the causal links between exposure to chemicals and cancers and other illnesses that working people are forced to be exposed to and to suffer from. You killed it. It's gone now. We don't have it in this province. You eliminated the independence of WCAT. You cut by 50% the amount of money that's put into pensions for long-term injured workers. Those are the other things that were in Bill 99.

While I'm talking about your disrespect for workers, while you stand there and say, "We're doing this because we care about firefighters," acknowledging quite frankly, as a result of seeing the mistake, that you didn't care about firefighters or any other worker in the province the way you handled it and the content of Bill 99, 11 days ago there were guests here in the members' gallery to witness the raising of an issue that affected injured workers, in fact workers who had died, former Fibreglas Canada employees.

"Out of 221 employees 102 from that plant have lung cancer or lung-related problems. The death rate out of 221 employees is 24%. One out of every two employees of 221 have health issues they believe are occupational-disease related." This is happening in Sarnia. Eleven days ago, when this issue was raised by my leader Howard Hampton and me in this place, there were individuals who were here to witness this government's great feeling of warmth for working people as it relates to workers' compensation.

This is from Glenn Sonier and it's dated December 10. He goes on to say:

"On December 3, 1998, we sat in the gallery at Queen's Park to watch as this issue was to be raised.

"I was insulted to witness that members of the PC Party had the audacity to laugh when this issue was raised and heckle the member of Parliament when raising this issue on the floor.

"For it was only moments prior that everyone there took a moment of silence for the 14 students who were murdered in Montreal, and only moments before that that everyone took a great deal of pride in recognizing the accomplishments that were made on behalf of the volunteer firemen issue." That was when this was first introduced. This happened on the same day.

"The fact that all members of Parliament were made aware that we were present," meaning the injured workers, "made the insult a disgraceful performance of conduct.

"For concerned family members of deceased former employees to witness such a performance by government officials shows the true lack of respect this government has for working-class people."

That's how he feels about the respect you've shown for injured workers in this place.

Another letter, from Mrs Jean Simpson, December 9, addressed to the Premier:

"I am writing you in regard to the anguish and disrespect that I experienced on December 3, 1998, within our provincial Legislature.

"It has been less than one year since my husband, George H. Simpson, has passed on. George suffered from cancer for five and a half years, which I believe and have documentation to show that Fibreglas was a contributing factor....

"On December 3, I was overjoyed to find out that it would be discussed within the Legislature. However, the behaviour and attitude of certain members disgusted me. Brenda Elliott from Guelph, Janet Ecker from Durham West and the member for Grey-Owen Sound — to see such serious topics taken so lightheartedly, especially when it was announced that the widows and family members were present. It was all I could do from restraining myself to comment. Overall, there was utter disrespect for my husband and the remaining survivors from Fibreglas Sarnia.

"Answers which were provided by the Minister of Labour, as I can see, were useless. In my opinion, his response did not answer any of the questions. By containing myself, I felt that I showed more respect for the Legislature than they showed to us."

Last, from Sandy Laird:

"I recently accompanied my mother to Queen's Park in which an issue about working conditions at Fibreglas Sarnia was to be discussed." By the way, I point out that Sandy Laird is the daughter of Jean Simpson.

"I sat in the gallery with my mother in hopes to hear that the issues would be seriously addressed and that we may have some closure. I could not believe the reactions and comments from Brenda Elliott, Janet Ecker and" the member from "Grey."

I have since written to the Minister of Labour pointing out the actions of some of the members of his caucus during that question period. I've also pointed out what I believe are inaccuracies in his answers.

I've raised all of this in the context of Bill 92, not to take away at all from the importance of passing this to help volunteer firefighters, but to point out the fact that it's this government's absolute disrespect for workers, and in particular injured workers, that brought us to this day. If it weren't for that attitude, we wouldn't need to be passing Bill 92, which has attacked volunteer firefighters just as Bill 99 attacked every single worker, injured worker and their family members in the province of Ontario.

The Acting Speaker (Mr Michael A. Brown): Questions and comments? Further debate? If not, does the parliamentary assistant wish to wrap up?

Mr Maves: Thank you very much, Speaker. I will wrap up and just quickly point out that on Bill 99, which the member opposite has spent a lot of time talking about tonight, we had over 61 hours at committee and many

more days of debate in this House. We travelled to seven cities for public hearings.

Back in 1994, the member opposite will remember, when he was in government, on Bill 65, the Ontario Network of Injured Workers Groups said to them, "We want to express to you our deepest concern and disappointment at the decision of this committee to hold hearings in only four cities in this province," and so on. My point is, when you're in government, you have as many hours of debate as you can in this House, you have as many hours in public committee hearings, and you listen and you make changes. You listen to the amendments brought forward by both members of the opposite parties, you bring in your own amendments, and sometimes things are missed.

The member also talked about some occupational diseases. He should know that for 1998 the government is spending more money than ever on occupational disease research, with \$8 million being spent in 1998. I think that's a credit to this labour minister.

But this bill is really about volunteer firefighters and other volunteers who are now going to be properly covered under this act. It's a credit to them. I congratulate them for bringing it forward. I congratulate the concern from the municipalities for bringing it forward and the member for Wellington also for bringing it forward.

The Acting Speaker (Mr Michael A. Brown): Mr Maves has moved third reading of Bill 92. Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

1900

LEGAL AID SERVICES ACT, 1998

LOI DE 1998 SUR LES SERVICES D'AIDE JURIDIQUE

Mr Harnick moved third reading of the following bill:

Bill 68, An Act to incorporate Legal Aid Ontario and to create the framework for the provision of legal aid services in Ontario, to amend the Legal Aid Act and to make consequential amendments to other Acts / *Projet de loi 68, Loi constituant en personne morale Aide juridique Ontario, établissant le cadre de la prestation des services d'aide juridique en Ontario, modifiant la Loi sur l'aide juridique et apportant des modifications corrélatives à d'autres lois.*

Hon Charles Harnick (Attorney General, minister responsible for native affairs): Today we proceed with the third reading of Bill 68, the Legal Aid Services Act. The purpose of Bill 68 is to reform the legal aid system to better meet the needs of Ontarians who require its services.

I'm pleased to note that this bill received widespread support when I introduced it to this House on October 8 of this year. Several leading members of the legal community expressed support for Bill 68, including representatives of the Law Society of Upper Canada, the family bar, the criminal bar and community legal aid clinics.

Newspapers in several communities also endorsed the proposed legislation. For example, an editorial in the *Toronto Star* said, "It's been a long time coming, but Ontario's new legislation to overhaul the legal aid system was well worth the wait."

These reforms are long overdue. The need to reform the legal aid system had become apparent by the time I was appointed Attorney General in June 1995. Between 1989 and 1994, government spending on legal aid had doubled, at the same time as Ontarians began to find it increasingly difficult to access legal aid services. It was obvious that the legal aid status quo was no longer working for the Ontarians who needed it most.

To turn around the situation, I established the first comprehensive review of the Ontario legal aid plan in its 30-year history. The review was conducted by John McCamus, a law professor and one of Canada's foremost legal scholars. Professor McCamus headed a blue ribbon panel of experts. Their recommendations formed the blueprint for the new organization.

Following the release of the McCamus review, we consulted extensively with the public, community groups, consumers of legal aid, legal aid clinics and the legal community about their recommendations. Everyone agreed that after 30 years without significant change it was time to reinvent legal aid and that a new organization was the best way to create a legal aid plan better able to deliver the changes.

The new organization, Legal Aid Ontario, will improve Ontario's legal aid system in four key areas: service, accountability, governance and independence.

First, in the area of service, the proposed legislation would encourage Legal Aid Ontario to strike out in new directions and find bold, innovative ways to deliver services through new approaches such as pilot projects. These alternative forms of delivery would complement certificates provided to legal aid clients to hire lawyers and legal aid clinics, which would continue as the foundations for the delivery of services. The result would be a legal aid plan that is more adaptable, effective and accessible.

Second, Legal Aid Ontario would also be more open and accountable. Several measures would ensure this result, including more public representation on the board of directors, an annual audit by the Provincial Auditor, and requirements that budgets and business plans be submitted for the approval of the Ministry of the Attorney General.

Third, in the area of governance, the provisions we are proposing for Legal Aid Ontario would ensure that it would be managed in a modern, efficient manner. The new organization would be led by an expert board of 11 directors. The board would be chosen from community members, people who need legal aid, the business sector and the legal profession, from all parts of Ontario. Board members would have experience in Ontario's legal aid services, the law, the justice system, business and financial management and the needs of those requiring legal aid. A majority of directors would be non-lawyers.

Finally, in the area of independence, the proposed legislation would lay the groundwork for Legal Aid Ontario's independence from both government and the legal profession. Independence is necessary to ensure that the organization represents the public. Legal Aid Ontario should not be in a conflict-of-interest position with the government or with the legal profession.

In addition to the above, our reforms would put legal aid funding on solid ground. This government would provide Legal Aid Ontario with a stable, guaranteed budget for the first three years of the organization's operations. Provincial funding would be set at the same amount as this current year, approximately \$230 million. This would shield the organization from immediate budgetary pressures and provide it with adequate funds to deliver high-quality services.

These reforms would lay the groundwork for increasing the quality and quantity of legal aid services. They would create a new legal aid system well suited to meet the needs of Ontarians into the new millennium.

Last month, the standing committee on administration of justice held public hearings on Bill 68 in Thunder Bay, Ottawa and Toronto. A long roster of people appeared before the committee to express support for the bill.

Professor McCamus said he was pleased with the way in which the legislation meets the goals he had identified in his review.

Harvey Strosberg, the treasurer of the law society, told the standing committee that the legislation would provide the legal aid system with the flexibility it needs to adapt to changing times.

Katherine McLeod, a vice-president of the Criminal Lawyers' Association and chair of its legal aid committee, expressed her members' satisfaction that legal aid certificates would remain as a mainstay of the system.

Lenny Abramowicz, chair of the Association of Community Legal Clinics in Ontario, said the reforms would protect legal aid clinics by creating a knowledgeable committee to recommend clinic policies and standards.

Susan Switch, past president of the Family Lawyers' Association, said the reforms would be very helpful in ensuring her association's members would be able to represent needy clients.

Notwithstanding these strong endorsements, several people proposed amendments to the bill that would further strengthen the Legal Aid Services Act. We are pleased to incorporate them into the proposed legislation.

One amendment clarifies that the Law Society of Upper Canada, not Legal Aid Ontario, would undertake quality assurance investigations of lawyers providing legal aid services. This amendment would ensure that the proposed legislation is consistent with the law society's responsibility for governing and regulating Ontario's lawyers in the public interest.

A second amendment would limit the term of a transitional board of directors to a maximum of one year. This would allow a smooth transition from the old system to the new while ensuring major long-term decisions would be made under the new system of governance.

A third amendment clarifies that non-lawyers would not be able to obtain certificates directly for providing legal services. Certificates for legal services would only be available for work done by members of the bar or people working under the supervision of members of the bar.

I would like to conclude with a few important thoughts. Legal aid reform is essential for providing vulnerable Ontarians with access to high-quality legal services. Bill 68 lays the groundwork to meet this need. It would create a new legal aid system well suited to meet the needs of Ontarians into the new millennium; it would ensure that high-quality legal aid services are delivered at a cost taxpayers can afford; it would provide the correct model of governance and give a greater role for the public in the management of legal aid services; and it would once again put Ontario at the forefront of the evolution of legal aid systems.

For those reasons, I invite all members of this House to join me in supporting this bill.

1910

Ms Annamarie Castrilli (Downsview): I rise with rather mixed feelings with respect to this legislation today. We have said on previous occasions that legal aid needed to be reformed for a whole host of reasons, but there's an initial quandary for us because this particular piece of legislation which seeks to reform legal aid in fact sets up a lifeless shell. We will see whether it will develop into what we hope will be, as the Attorney General said, a new evolution which will put Ontario at the forefront. It is certainly our fervent wish that legal aid meet the Attorney General's expectations. It remains to be seen whether that will be the case.

I say that because the history in Ontario since the Harris government took over with respect to legal aid has been far from shining. The history of legal aid in Ontario has been quite the opposite. It's been a case of bungling. It's been a case of lack of access to justice for ordinary people. It's been a case of a system that hasn't worked for the people who need it most, the people in need.

We have repeatedly brought this issue to the floor of this House. The Attorney General has seen that there was a problem and therefore he set up at our insistence not one but two commissions to look into legal aid.

The Attorney General quotes the McCamus report, and it really was a very thorough review of legal aid. It took legal aid from its inception and chronicled it through all of its re-enactments. It described in detail the crisis that we're now facing. I'd like to begin by reading from the McCamus report, which I think is quite instructive as to what it thinks ought to be the hallmark of a legal aid system. As we begin the debate here tonight, I hope that members will bear these particular points in mind.

The McCamus report states at chapter 4 the principles on which design of a legal system must be based:

"(1) The design of the legal aid system should be based on the assessment of the specific legal needs of low-income Ontarians.

"(2) The design of the legal aid system, while reflecting these needs, should also address the diversity of special needs presented by such groups as ethnic, racial, cultural and linguistic minorities, persons with disabilities; aboriginal communities; women; children; youth; and the elderly," thus the disadvantaged.

"(3) The legal aid system should enhance its central and local capacity to gather and assess information regarding client needs.

"(4) The legal aid system should more effectively rely upon the clinic system, plan administrators and other service providers as a means of systemically gathering information with respect to legal needs."

Those are very important principles to bear in mind because when we examine this legislation, it is not entirely clear that we meet the standards that Professor McCamus has set out for us in his report. I say that because we engaged in a fair number of hearings in this province with respect to legal aid. During the intersession we travelled and we heard here in Toronto and elsewhere what individuals and organizations had to say about this new entity.

It's obvious that something needed to be done, and we said that on this side of the House. But the Attorney General would have you believe that everybody agrees with the concept he has set up, that this legislation is perfect as it is, that this legislation in fact will do what Professor McCamus has indicated it would. Yet when you look at the number of people who came before us, the number of people who had comments on this legislation, who had looked at the legislation, had studied the legislation, they didn't wholeheartedly agree with what's before us today. I'd like to take you through some of the testimony that was brought before our committee with respect to legal aid because I think it's important.

One of the major concerns we heard in committee was that legal aid may not be as accessible as the Attorney General would have us believe. We heard many groups that came before us and said, "We're not sure if we're included," or: "We're not included. It's clear on the face of the legislation that we're not included."

There was a series of concerns around the funding of legal aid. The fact is that what we've seen in this province is a steady decline in terms of the number of certificates that have been issued, and certainly it has made it very difficult for individuals to be able to access the courts, so funding is a huge issue. There are concerns that even some of the most basic needs will not be met. For instance, the legislation clearly says they need to pay an application fee in order to be able get legal aid. Imagine. People who have no money have to come up with money to get lawyers in very difficult circumstances.

There were issues certainly around the appointment process. The board of this new legal aid entity will be largely selected by the Attorney General or by the law society in conjunction with the Attorney General, and there's an issue around composition, around appointments and so forth.

I'd like to spend a little time going through some of those concerns because we really heard from a wide

variety of people who feel that the current legislation at the very least is short-sighted. Let me just say to you, Speaker, at the outset that if this were perfect legislation, why would we have 117 amendments that were brought to it?

Mr John Gerretsen (Kingston and The Islands): A hundred and seventeen?

Ms Castrilli: Yes, 117 amendments with respect to this particular legislation, and let me say that not all of them were opposition ones. Clearly the government realized that there were some deficiencies starting off.

Let me deal first with the issue of the application fee, because I think that's the first thing that rankles people. Legal aid was created in order to ensure that everybody had the same access to justice, that we didn't have one justice for the rich and another justice for the poor. It was supposed to be an equalizer, that if you had a legitimate grievance and you had no way to pursue that grievance, to insist on your rights in this society, we collectively would find a way to fund your ability to insist on your rights. That's what legal aid is at its centrality.

I ask you, what sense is there in insisting that those people — it could be us. It could be anybody by the grace of God. What sense does it make to insist on an application fee, yet another fee, another burden on the poor, on those who can least afford to pay? We brought this up in committee and said: "You know, you're talking about access. Why would you make that an initial barrier?" There were no satisfactory answers, and that section remains because clearly access is not a criterion for this legislation.

Many, many speakers talked to us about exclusion. I think if you had been there to hear some of the stories and to hear some of the concerns, you would have been swayed, and yet none of that is reflected in this particular legislation.

When we were in Thunder Bay, one of the first presentations that was made to us was from aboriginal women of Ontario who told us a story of finding it very difficult to obtain justice sometimes in a system that does not take into consideration their central equality, in trying to find justice in a culture which is different from what we experience every day. They looked to us for answers. They wanted to ensure that there was a system that allowed them to participate, allowed them access to justice. There were no answers that could be given to them, because of course this legislation is silent with respect to their particular needs.

Aboriginal Legal Services of Toronto echoed some similar concerns. They were worried that there ought to be certainly a thrust on providing justice in alternative ways. In particular, they were worried about how their particular interests and concerns would be reflected in the governing body of Legal Aid Ontario.

They made a very simple suggestion. They said, "You know, I think it would be really useful, once you've appointed this board, to have an aboriginal committee to give them advice." They weren't looking for a seat on the board. They made a very simple request that because their

culture is specific and their situation is specific, the board could benefit from the advice they could give on any given legal issue, a very simple request which has not found any place in this legislation.

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The Canadian environmental association and other environmentalists made some stirring pleas about the necessity of having environmental law as one of the areas that is covered under legal aid. I think their points are all the more poignant because we live in a society that is becoming much more aware of the importance of the environment and the importance of the effect of the environment on our health, on our children and on our future.

They made, again, a very simple suggestion. They said: "What we really would like you to do is just expand the definition of 'clinic law' to include environmental law, because it ought not to be only the rich who can make a case in order to have their environmental law concerns addressed, but it is also the poor who breathe the same air but who often do not have access to lawyers in very difficult situations. If you have a low-income tenement, for instance, where there would be gas leaks, where there would be some very serious health hazards, the reality is that it would be next to impossible for those individuals to gain access to the law under the current legislation."

Their arguments were very compelling, and indeed a previous draft of the legislation included environmental law, and then suddenly it disappeared, with no explanation and no justification.

Some of the most compelling testimony was made by those who represent refugees in this country. In particular, I remember being struck the very first day by the presentation of the Roman Catholic Diocese of Thunder Bay, reputed to be among the leading authorities, if there is such a thing, in the area of refugees in the north. They told us some horror stories of individuals who have had to deal with the system.

Bear in mind that individuals are required to be protected under our charter and under the United Nations convention, individuals who come to this country and are at a disadvantage because of the language, because of the system and trying to understand how it works. We had presentations from four such individuals in Thunder Bay, some of whom spoke English haltingly, others who spoke through a translator, who told of their nightmare of trying to get through a system they were ill equipped to deal with. They told us that there was only one lawyer in that whole area who was able to take any kind of refugee cases on legal aid. That's an appalling statement. That's an appalling acknowledgement of our deficiency in living up to our international obligations and to our own laws and covenants.

I commend the presentation of the Roman Catholic Diocese of Thunder Bay because it's very instructive about our obligations at law. It's very easy to dismiss refugees and immigrants, but the reality is that they should have the full benefit of the law just like everyone else. They made it very clear that we are not living up to our obligations in this province and that you could do it very

easily by simply requiring that Legal Aid Ontario have, as part of its mandate, immigration and refugee law. Again, the requests fell on deaf ears and not much was done in that regard.

Those same sentiments were echoed by other organizations — the Canadian Bar Association Ontario, the Canadian Council for Refugees — that all came and said that the reality was there was a very real need here that was not being met and is still not being met.

We had some very interesting discussions with the francophones of Ontario. Those of you who were there will recall that they were very concerned that, at the moment, it appears very few certificates are issued to francophone lawyers, and in fact there are many clinics even in designated areas that don't have any access to francophone lawyers at all. I will say this to the Attorney General: There was some acknowledgement of their concerns and the legislation was amended somewhat. I think they were looking for stronger language. I think they would have certainly appreciated a different system that was more inclusive, that allowed for their particular concerns to be addressed. It would not have been out of the question, for instance, to suggest to our Franco-Ontarians that we make it a blanket guarantee that in designated areas, at the very least, they ought to have access; and moreover, to make sure those problems don't occur, that there be an advisory body to assist in formulating policy.

These were vehicles that were advanced during the course of our discussions because we were trying to improve a system. This Legal Aid Ontario is a shell, as I have said, and how it will work will depend on the quality of the advice it gets and on the people who run it. We were trying over the course of hearings to provide advice with respect to how to make this entity stronger and function better.

We heard from women in this province in a very real way throughout the hearings, women who have been largely shunned. If you recall the McCamus report, it's obvious that family law is one of the areas that has suffered the most. Right now fully 66% of all the people in family court are unrepresented because certificates are not being issued in family court. We know statistically that the vast majority of those are women and children who are suffering. So the women of Ontario, through a number of organizations, came forward and told us that this could not go on, that it was absolutely critical, that if you were to have any kind of level playing field between men and women, particularly in a marital situation, in a marital breakup, in custody situations, it was imperative that women and children be given the same kind of access to justice as their wealthier spouses and fathers. They wanted some guarantee in the legislation that said that family law would be a priority, that we wouldn't forget the women and children of this province. Again, there was no action on the part of this government. This legislation has gone on with very little understanding or acknowledgement of their concerns.

We had a whole host of groups and individuals who have come forward and said: "This just doesn't quite

wash. This isn't really a system that's accessible to everybody. It maintains the status quo; in fact, it makes the status quo worse because you have taken some groups out. You have not expanded the service that's required to those in need, and you won't even guarantee funding."

This is a real problem. When you look at the history of legal aid, you have depleted the funding and you are not, through this legislation, addressing that in any substantive way. You're not even guaranteeing funding for clinics beyond the three years. What happens at the end of three years? Presumably one enters into a memorandum of understanding. But when we push to say, "If you can't get an agreement, will you at least put into this legislation that there be binding arbitration?" nobody listens. Basically you've got a system that continues the status quo, makes it that much worse and leaves the system at the mercy of the Attorney General and his government. That ought not to be the way that justice functions.

One of the large concerns that was voiced over and over again was that if this Legal Aid Ontario is to be different from what we have now, then it requires independence and it requires a composition that's truly reflective of Ontario. The legislation clearly says that the composition of the board will reflect, for instance, the geographic diversity of the province. The aboriginal people said to us, "Maybe that's not good enough." Maybe we should also be looking at the demographic composition of Ontario. We should be looking at who some of the users of the system are, to make sure they're reflected in the decisions that are made by this board that has so much impact on their lives. You have a board of 11 members, most of whom are appointed, either through the Attorney General or the Attorney General in conjunction with the law society. Everyone said: "Where's the fairness in this? Where's the independence of this?" If, ultimately, they all depend on the Attorney General, how can we be sure it will be an independent process that will be divorced from the political process? These are very serious questions, and they were brought forward by virtually everybody who came before us. They're very concerned that the process is open to manipulation.

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In particular, I must say that the Defence Counsel Association of Ottawa made a presentation that talked about sausage factory justice, where you try to push everybody through the same little set of knives. It simply doesn't work. You need something that takes cognizance of the differences in people, the differences in their cases. They make a very good case that the Attorney General can manipulate the process so as to control the outcome. Think about that for a moment: the manipulation of the process to control the outcome through funding but, more importantly, through the appointment process.

They talk about how if you look at what's happening now with respect to the Harris agenda, which is an ideological agenda, it follows that you will have a system set up that will be ideological and may not be in the best interests of everybody in Ontario. I say that because it's important to bear in mind that whatever you do with Legal

Aid Ontario, you have to be mindful of all of Ontario, not just the people you were elected to represent.

There are legitimate needs that have to be respected. When we look at the notion that you do not have a piece of legislation that's conclusive, that you do not have a board of directors that is mandated to be demographically diverse, when you don't have any guarantee of funding, you can understand why people are concerned about the outcome they're going to get in this sausage factory.

The biggest worry of all is the issue of funding. There's no question that the judicare model is expensive, but in a democratic society it's absolutely key that you have a system that equalizes people and that allows them access to the most fundamental institutions. Justice, I would argue, is one of those institutions that is fundamental. There are certain areas where it's important to focus on what we're trying to achieve.

If you look at this particular legislation, it's quite obvious that there are very limited guarantees with respect to funding, and virtually everybody who came before us found that inadequate. The notion that we would limit the clinic system to three years with virtually no guarantee of how we're going to proceed beyond that is not acceptable to people who believe the justice system ought to be based on accessibility and fairness.

I heard the Attorney General say some very beautiful words, but the reality is that when you look at the legislation, it is incapable of being interpreted in quite the way he deemed it. If he really meant it to be a system that was better, why would he introduce an application fee? If he really meant it to be better, why would he exclude certain categories from this legislation? If he really meant it to be better, why would he insist on maintaining some false categories? If he really meant it to be better, why wouldn't he listen to the pleas of women and children and aboriginals and so many others who came before us and made very logical suggestions? They weren't trying to hijack the system. They just said: "We really want it to work. We're with you on this. We're in partnership. We're together. Here are our suggestions." None of them were accepted.

We're left with some nagging doubts here. We understand that we need to move forward. We want a system that's different. We'd like to see it imbued with some life. As we look at this, we're not sure where we're going. We introduced many amendments in the course of the hearings, precisely to address the many concerns we had heard. We did that hoping the government would listen, but knowing that perhaps they could at least serve as a reminder to the board of Legal Aid Ontario that these were very legitimate concerns that were being voiced, and that the decisions they would make needed to have those considerations, that ultimately the people would hold them accountable for the kinds of issues that were brought forward if those issues were not dealt with.

It isn't an easy time for us in opposition, particularly with this piece of legislation, because we really do want to pass it, we really do want to have an institution that will better meet the needs of Ontarians. My own discomfort

with the legislation after the hearings we went through is that I'm not sure we've entirely met that test.

I say to the Attorney General, look very carefully at what people have told you through those hearings. They are very diverse opinions that have been voiced, but they're constructive and they basically take up the same themes of accessibility, lack of resources and quality of service. I hope we're not moving towards an American-style system. I hope the judicare system will continue, because we heard over and over again that that's the best guarantee we have.

The Attorney General nods his head. I'm delighted to have his assurances. I wish he would give me assurances on the other points I've made. But I'm glad to hear you say that because —

Hon Mr Harnick: It's in the act.

Ms Castrilli: No, I beg to differ. The act puts forward a number of alternatives. Judicare is certainly one of them. We hope that will be the case, that you will deal with that issue, leave it as it is and allow individuals to deal with it.

I should say that I'll be sharing my time with the member for Kingston and The Islands.

In closing, we will be supporting this legislation, but with great caution. I spent a great deal of time today outlining the concerns so that the Attorney General can bear them in mind. Particularly I say to the Attorney General, as you now turn your mind to the appointments that need to be made to the board, I hope the real issues that have been brought up by real people will be reflected in the appointments you make. Again, I see the Attorney General nodding his head. I'm delighted that he has been here to listen to this debate and that he's going to take that into account. I think you will be doing a great service to the people of Ontario. If you don't, I think they will hold you accountable for it.

Mr Gerretsen: It's a pleasure to share some time with the member for Downsview on any issue relating to the Attorney General's department. She's extremely knowledgeable and has called the Attorney General to task on a number of issues over the course of this Parliament, and rightfully so. This Attorney General and this government have an awful lot to answer for when it comes to matters of justice in this province.

Before dealing with my comments on the bill, Mr Speaker, let me just congratulate you on the excellent way in which you've performed over the last hour. I cannot remember an hour in this House over the last year and a half when there was less heckling or people being disorderly. You've kept the order in this House in an absolutely exemplary fashion and you ought to be congratulated on that; maybe there are other things too.

Applause.

Mr Gerretsen: I think the people of Ontario should know that there was a round of applause from all the 50 or 60 members who are here tonight, concurring in those comments.

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However, we're dealing with a very important issue here tonight. Legal aid is an integral part of our society

now. Let me read a couple of quotes that I used some time ago, which really show the importance of legal aid in our system. Back in 1966, a very prominent former Attorney General made the following statement.

Mr Marcel Beaubien (Lambton): Is that Charles Harnick?

Mr Gerretsen: No, it's Arthur Wishart, a man for whom I have an awful lot of respect. He was a great Attorney General.

Mrs Marion Boyd (London Centre): What did he say?

Mr Gerretsen: What did he say about legal aid in this province? I'll tell you what he said: "What this bill does" — that was the initial legal aid bill that was introduced — "and it is not just a step forward, it is a long march forward; it is a great reach in this field — what it does is say that no person in this province of Ontario shall be denied their right of counsel, the right of legal aid by reason of his financial status." That was said in 1966, when the original legal aid plan came forward, some 32 years ago.

The dreams and attitudes of those people who were involved in the field of justice in Ontario, whether in private practice or through government work such as is being done at the Attorney General's office — within the legal community itself there was this great hope and aspiration that people from now on would get representation in courts whenever they were involved in them. That was really a step forward. I can remember in my days as a student when there were lawyers who from time to time would take legal aid purely on a pro bono basis. Many individuals came into our court system — criminal court, family court, juvenile court — who were totally unrepresented. Quite often people would be dealt with by the system without really realizing what was happening to them and without their families knowing exactly what was happening to them. I imagine the odd injustice was created and occurred during that period of time, as a result of the lack of the legal representation that people required.

So in 1966, when we truly had an enlightened Conservative government, this step was taken and legal aid was started in Ontario. This which always gives me reason to say to the people I've talked to over the last three years, if anybody thinks the current government we have is a Conservative government of the likes of Bill Davis or John Robarts, they've got another think coming, because it is anything but that. We have in Ontario a Reform government that basically wants to do away with as many public services as possible and save the taxpayer as much money as possible. But I don't think that's the kind of society we want for Ontario.

That was the start of the legal aid system. What has happened to that? Let's not talk about 30 years; let's just talk about the last five years or so. Of course, as my colleague from Downsview has already mentioned, a number of different studies were done. One of the last studies that was done was by the Law Society of Upper Canada itself. I've taken some excerpts from that study to give you some indication of what has happened to the legal aid system.

Hon Mr Harnick: Which study?

Mr Gerretsen: This is the study that was done by the Law Society of Upper Canada, I believe.

Hon Mr Harnick: I didn't know they did one.

Mr Gerretsen: You don't believe their study?

Hon Mr Harnick: No, I didn't know they did one.

The Acting Speaker (Mr Michael A. Brown): Through the Speaker, please.

Mr Gerretsen: I'm sure the member for Downsview will pass me a note telling me exactly the name of this study, but this is a study that was done recently. These are not figures that I've doctored myself. Do you recall the name of this particular study?

What the study clearly indicates is how legal aid has declined in Ontario. The number of certificates issued, and I'm sure the Attorney General's not going to argue with me on this, has declined from something like 230,000 —

Ms Castrilli: It's the McCamus report.

Mr Gerretsen: The McCamus report.

Hon Mr Harnick: That was not from the law society.

Mr Gerretsen: You're correct on that. I stand in error. It was not the law society; the government did the report. That makes it a very credible report.

Hon Mr Harnick: That's why we are making the changes we are making. I can see a lot of preparation went into this speech.

Mr Gerretsen: That's why. Now that the Attorney General has vouched for the credibility of the report that I'm about to quote, because it was a government report, let me say that on page 42, it clearly indicates that the number of certificates that have been issued in legal aid has declined from over 230,000 in 1992 to some 80,000 in 1996, a decline of almost two thirds — more than two thirds, actually.

I'm sure the Attorney General would say that too many people were receiving legal aid. When I speak to some of my colleagues who still practise law in the court system, and also individuals who come into my constituency office, they advise me that there are many situations now in both the family court area and in the criminal court area where people are no longer represented. That is a shame.

As a matter of fact, this report shows you that in the family law area, in which I have a particular interest — on page 47, it talks about the kind of services that are eligible for legal aid and not eligible for legal aid in the family law area. Let's just run through this list.

You're eligible for legal aid if there's a threat of a child being taken by the children's aid society — that's a very important matter; I don't think anybody's going to argue about that. If there's a threat of a parent kidnapping or moving a child so far away that the other parent loses contact — very important, no question about it. There are custody and access in cases of abuse; in situations where the parents are separating and the custody has not been established; to establish child support for a parent with no income; and to prevent access to the family home where abuse is alleged. Those are all eligible categories for legal aid.

When I look at the list of categories that are not eligible for legal aid within the family law area, it is a list that's

twice as long. Let me just give you some of these categories. I ask you to try to envision situations where you know this has happened. See if you wouldn't say, "Yes, in those particular cases somebody should be entitled to a lawyer and legal aid should be given in situations where people can't afford to pay a lawyer." Not eligible for legal aid: variations to custody or support — I would suggest that a variation order in a custody matter and in a support matter can be very substantial. I think they ought to be eligible for legal aid in circumstances like that. An enforcement of a custody and support order — I would have thought that if you had a court order, you had to have the ability —

Hon Mr Harnick: You have no idea what you're talking about.

Mr Gerretsen: You don't know what I'm talking about. Well, sir, this is on page 47 of your own government report, that you gave me the title to a few minutes ago.

Hon Mr Harnick: Why don't you read the recommendations instead of misleading the people?

The Acting Speaker: Attorney General.

Mr Gerretsen: Let me just read you this whole thing.

"The following list illustrates first-priority cases which are eligible for legal aid, and all the rest of the cases are considered lower priorities which are no longer eligible for legal aid." This is out of your government report, sir.

Enforcement of a custody or support order is no longer eligible for legal aid. To establish voluntary care agreements with the children's aid society — I suppose an argument could be made that in some cases this may not be all that severe, particularly if there's a voluntary agreement, that perhaps legal aid shouldn't be required.

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Applications for access: Wow, that's a big one. I can well foresee a situation where custody may have been granted, maybe even in an ex parte matter where the other side wasn't there, and later on the other parent wants to have access. I guess you're not eligible for legal aid.

Out-of-country custody enforcement: I could see the merits of that, quite frankly.

Proposed custody changes where there are no other problems: Well, they're still custody changes.

Denial of access to children; change from supervised access to unsupervised access; and where property is the only issue.

I would suggest that there are some situations in that list I just read where people now are no longer eligible for legal aid where there could be some serious miscarriages of justice if legal aid is not available to an individual.

Hon Mr Harnick: Marion, explain to him.

Mr Gerretsen: "Explain to him?" Sir, I think I know what I'm talking about. If you can't explain it to the people of Ontario and if you can't explain your own reports to the people of Ontario, then I'm afraid this province is in deeper trouble than I thought we were.

What happens when we look in the area of criminal law? Exactly the same thing. I know there are some people out there who say, "People who are charged with a

criminal offence shouldn't get legal aid." I've heard that argument from time to time. But it goes to the very foundation of our system or of our belief in a democratic society that everyone should have the right to be represented when they're being charged with a crime.

Mr David Tilson (Dufferin-Peel): What should the budget be? How much money would you spend?

Mr Gerretsen: I don't know how much money I would spend, but certainly more than what we're currently spending. When I see the decline in the number of certificates in the criminal area from 115,000 in 1992-93 to 53,000 in 1996-97, almost two thirds of the amount, I say there is something wrong. I'm saying that we're going backwards. You can set up any guise you want of another corporate structure, "We're going to set up a corporate structure." This government is very much into setting up new corporations and arm's-length transactions and stuff like that. I get worried, and what I get worried about is this: The further away the government is from an organization like this, the more likely it is to cut off the funding. That is my main concern.

Hon Mr Harnick: There's guaranteed funding.

Mr Gerretsen: As the Attorney General, if you think there is a guarantee for funding, you tell that to the over 29% of people whose certificates have been refused, because there's another very important statistic.

Whenever I raise these issues, the Attorney General gets very excited. That must mean there's some truth in what I'm saying. I'm telling you there's a whole lot of truth in it, because I'm quoting directly from the government's own report. The Attorney General said this was the government's report.

Let's see what's happened from 1992-93 to 1996-97. It's interesting to see the percentage of applications refused. In 1992-93 about 14% of the people who applied were refused legal aid; by 1996-97 that had more than doubled, to 29%. Is he saying that all 29% of these people shouldn't be entitled to it because they had money in their pockets and were applying for legal aid? I don't know what he's saying, but he will have an opportunity later on to respond, and I hope he will respond. I certainly hope so, because he seems to take great issue with what I'm saying.

All I know is that 29% of all the legal aid applications that are made right now are being refused, when it used to be 14%. I don't know what the reason is, but maybe he can tell us. I certainly have some good ideas about what the reason is. The reason is because there isn't enough money in the legal aid system. It is as simple as that.

We have a choice as a society. We can say that legal aid is too expensive and we can't afford it as a society any more, and therefore we're going to drastically cut it. If you do that, then at least have the intellectual honesty to say that. What this government should say then is, "We don't value legal aid, the right to legal counsel that an individual has, as much as maybe the past government did." Have the intellectual honesty to say that.

He wanted me to go to the summary. I will go to the summary of that report. It makes about 12 different recommendations. It's interesting. The first point it makes is

this, and this is the government's report, according to the Attorney General:

"It is inappropriate to attribute the present inadequate levels of legal aid service to mismanagement and lack of flexibility or conflict of interest on the part of the legal aid plan or the Law Society of Upper Canada."

I find that interesting. As a lawyer I have heard that, particularly when the plan was in serious trouble about four or five years ago. It was mismanagement, it was this, it was that, it was a whole bunch of things. But this summary clearly states in the first point it raises that it's not appropriate to attribute the present inadequate levels of legal aid service to mismanagement.

"(2) The law society reaffirms that access to justice is essential in a democratic system and that the protection of individual rights is a crucial purpose of the legal aid plan."

I guess the bottom line is this: If too many people get turned down for legal aid, it just means that access to justice, an essential part of our democratic system, is no longer available or that it is less available than it used to be.

"(3) The law society rejects the notion that people can face the legal system without legal representation. Self-representation is no representation, and it is an unacceptable retreat from the fundamental democratic values."

Very well said. It basically says that if you go to court and you can't afford to pay for a lawyer but you still have to proceed with your case, you are being denied one of your democratic rights. That's what we've adopted in this province. If this government wants to step aside from that, let it be intellectually honest and say so. But of course it never says so; it couches it in other terminology and sets up another corporation to take it even further away from the government than it currently is.

It goes on to say, "The law society does not agree that the purpose of legal aid is primarily to ensure the smooth functioning of the court system," which is true. Legal aid is there to make sure that the people have representation, which is not quite the same thing as saying that the court system should function smoothly. We all hope it does. Those of us who have been involved in the system for years have been saying there is something dramatically wrong. All those who are lawyers can relate to the fact that there are courts throughout this province, on a day-to-day basis, that start off each morning with 20, 30 or 40 lawyers there milling around, waiting for their case to be called, waiting for an adjournment to be given or a remand to be made etc. I have often thought over the last 30 years or so that there's got to be a better system. This is an awful lot of high-priced help standing around, usually for most of the morning. I don't know what the answer is. Certainly I think —

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Ms Frances Lankin (Beaches-Woodbine): On a point of order, Speaker: I apologize for interrupting the member, but his points are important and I think there should be a quorum here to hear them.

The Acting Speaker: Is there a quorum present?

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for Kingston and The Islands.

Mr Gerretsen: I have now been informed by the member for Downsview that this may indeed be the Law Society of Upper Canada's report that was issued in May 1997.

Hon Mr Harnick: Do you know which one you are reading? You are making a speech and you are quoting. We all want to know what you are quoting.

Mr Gerretsen: No, you were telling me, Attorney General, which one I was reading from.

Hon Mr Harnick: Have you ever read a bill since you've been here?

The Acting Speaker: Order, Attorney General.

Mr Gerretsen: Are you disagreeing, Attorney General, with any of the factual information I've given here so far?

Hon Mr Harnick: I don't know what you're reading from and neither do you.

The Acting Speaker: Attorney General, come to order.

Mr Gerretsen: I will be pleased once my time is over to send the Attorney General a copy of this so that maybe he can take it home tonight and peruse it and come back with some information on this matter tomorrow.

I'm getting close to the end, because I want to give the third party some time. I'm sure they will have something to say about this as well. They may be more complimentary to the government, because there is something between those two parties right now so that they try to bolster each other up. It may very well be that the third party will congratulate the government on the proper funding of legal aid. We in this party certainly don't think it's proper right now. All you have to do is look at the —

Hon Mr Harnick: Spend, spend, spend. You are going to raise taxes and increase spending.

Mr Gerretsen: The Attorney General says, "Spin, spin, spin." Speaker, do you know of any government in your recent memory that has been spinning its line more than this government? Do you know of any other government, Speaker? I know of no other government.

This government even tried to spin the \$600,000 paid out in the McLean-Thompson affair as something that was reached by way of consensus in the Board of Internal Economy. I can tell you, I take quite an affront to that. Having been on that board for almost two years, I can assure you that was not reached by consensus; it was forced through by the four Conservative members on the board. There being only two opposition members present on the board, we didn't stand a chance.

Applause.

Mr Gerretsen: That round of applause, by the way, was for another Speaker taking over. I want to congratulate your predecessor, Mr Speaker, for doing an excellent job.

Let me just get to recommendation 9. It says, "Full funding for the legal aid plan should be committed on a multi-year cycle, containing an element of flexibility to deal with contingencies."

Hon Mr Harnick: Yes, we are doing that exactly the way McCamus said to do it.

Mr Gerretsen: He's saying, "We're doing that." That is kind of like comparing this glass and a five-gallon jug. You could argue that all the money in this glass is enough for the legal aid system and somebody else could argue, "No, we need a five-gallon jug." When somebody says, "We are committing full funding to this," I suppose it's all a question of semantics.

I always rely on looking at the facts in terms of what's happening to the system. Go into a courtroom or a courthouse in the province and you will find today that there are many more people unrepresented than used to be the case five or six years ago. The number of certificates has dropped by two thirds, and that is undeniable. It is from the law society's or the government's own report.

I am very pleased to have invoked the kind of discussion and debate that has taken place here this evening. I would hope that some other members will have some comments as well on this issue.

Let me remind you of what a former Attorney General said on August 17, 1995. This gentleman was Attorney General during the Peterson government days. It's interesting that what he had to say about legal aid was very much the same —

Ms Lankin: Was it 1985?

Mr Gerretsen: No. He said this in 1995, but he was a former Attorney General. I'm sure he said this in 1985 as well. What's interesting about this is that his comments were almost the same as those of Arthur Wishart back in 1966. Ian Scott said, "Legal aid is a fundamental bulwark of our way of life, a critically important part of our social fabric and an essential element of the social justice which holds us together as a society despite wide divergence in economic well-being."

I know that the Attorney General who is part of the present government is well intentioned. I have a great respect for this Attorney General, and I know that over the last three and a half years he must have been very frustrated from time to time when he couldn't necessarily get his way with cabinet. I'm quite sure he was out there fighting to get more money into the legal aid system, but unfortunately he has not succeeded and now the situation is going to be offloaded. Sir, I hold you in the same respect now as I did then, although I'm sure the legal community wishes you had been more successful in your efforts to get the legal aid plan properly funded.

I will leave it at that. I see the Attorney General getting redder and redder in the face and I certainly would not want to be the cause of any discomfort or that he wouldn't feel comfortable this evening, so I will just leave it at that. But I'm sure the member for St Catharines will have something to add in the final two minutes on this debate on legal aid.

Mr James J. Bradley (St Catharines): My concern was that apparently this bill does in the law association which deals with environmental matters. CELA, the Canadian Environmental Law Association, has been done in by this bill. Not only has the government gotten rid of intervenor funding, which of course allowed both sides to — a well-financed, giant developer, knowing all the levers of power in government, would come in to deal with an issue, and on the other side you had just the poor residents around there who were trying to fight this major development which would be disruptive environmentally, and the Canadian Environmental Law Association was quite helpful to them.

They have expressed their concerns. They say that poor people are often exposed to multiple sources of toxic pollution and they have a great concern about this. I don't blame them for having this concern. I know they can be seen as, let's say, a thorn in the side of the government from time to time, because they are representing people sometimes against government-initiated or government-applauded projects.

I see this as one more nail in the coffin of the environment in this province, when you have in this bill provisions which are going to be detrimental to the Canadian Environmental Law Association, which has fought so hard for the kind of funding that's necessary to make fairness part of the judicial process as it relates to environmental matters.

That would be my contribution to this. I know my colleagues have covered the other areas rather substantially, but I can well recall the excellent word done by CELA and I'm very disappointed that the government apparently wants to do them in with this particular bill.

2010

Mr Peter Kormos (Welland-Thorold): I'll be sharing my time with as many members of the caucus who want to share my time.

Ms Lankin: You're such a giving fellow.

Mr Kormos: Well, far be it from me to hoard this hour and keep it all to myself. It is 8:10 on a Monday night.

Look, at the end of the day, there was very little, if any, outright criticism of the structure being proposed here for the administration of legal aid.

Mr Gerretsen: That's what I said too.

Mr Kormos: Mr Gerretsen says, "That's what I said," and then he went on to talk about his profound respect for the Attorney General. I was with Mr Gerretsen until he reached that observation. He and I were ad idem, as they say, in accord, and then Mr Gerretsen started talking about his respect for the Attorney General and how much he liked him and what a nice guy he thought he was etc, as the member for Niagara Falls might say. At that point, we reached a fork in the road, so to speak — that is, Mr Gerretsen and I did — and I found myself travelling a somewhat different path than he did.

During the course of the committee hearings, we heard from a reasonable cross-section of the community: the legal community; the legal clinic community, an incredibly

important role; in some respects from consumers, though not as much as I would have liked to. One of the problems with the committee hearings was that they weren't well publicized, especially the out-of-town ones, and those were few and far between.

One of the things that was acknowledged, notwithstanding the general acceptance of the proposed structure, was section 14, which speaks of the duty of this corporation to provide legal aid services, "having regard to" — and the final regard it must have is regard to the corporation's financial resources. I suppose that's trite, but at the end of the day we know that it's the government of the day, whether it's this government or the subsequent government, whoever's going to be elected in 1999, that's going to be effectively determining the status and the effectiveness of legal aid. What they won't do through the front door, they can very effectively do through the back door simply by defunding.

One of the interesting things was that the bill contains a guarantee of two years of stable funding for refugee law, but then goes on to omit any reference to refugee law whatsoever. In fact, when you take a look at the comments made by Mr Tascona on second reading, where there was some criticism of the province's obligation to fund refugee and immigration law, and when you take a look at the Hansards of the committee hearings and see the approach of the parliamentary assistant during the committee hearings, along with some of the government committee members, to the issue of refugee law in an effort — look, I have no quarrel with criticizing the federal government. Good, let's criticize the federal government.

Have they defunded, have they downloaded a huge number of areas down to the province? Of course they have. We know that. It's no credit to them that they've done exactly that. I suppose it's awful hard for any of us to hear this government complaining about downloading after we've seen what they've done to our communities. Down in Niagara region, we have new property taxes to the tune of \$18 million and fewer services — get this, please — fewer services but new property taxes to the tune of \$18 million, a direct result of this government's downloading policies.

I understand what Ottawa has done to Queen's Park, to the province of Ontario, by way of downloading, but I find it hard to listen to this government's criticism of that without any acknowledgement on their part that they've imparted at least as much pain, probably more, on municipalities and communities across the province by virtue of this provincial government's downloading exercise.

Obviously, funding of the legal aid system is critical. It should be the focal point of any discussion. The government has made it quite clear that it doesn't intend to fund refugee or immigration law after the first two years. It's getting out of the business. It has offered up some sort of argument that the federal government should accept responsibility for that because, after all, as the government members said on the committee, refugee and immigration law is federal legislation. Well, so is the Criminal Code, so is the Young Offenders Act, so is the Divorce Act and

so are any number of federal statutes that people or groups or corporations are prosecuted under. It clearly isn't much of an argument.

Several people, including some with great expertise, were specifically questioned about how valid it is to distinguish refugee and immigration law from other areas of law, be they with sources in the federal Parliament or in provincial legislatures, and those witnesses indicated no, there was no valid distinction to be made, that this is an artificial and very political distinction.

Again, the province could and probably should have its dispute with the federal government about adequate funding by way of transfer payments, but in the interim, the defunding of refugee and immigration law — and let's cut to the chase; we're primarily talking about refugee law here — is going to have tragic consequences for huge numbers of people.

The fact is that the process a refugee claimant finds himself confronted with is an incredibly complex one, and if that person's going to have a snowball's chance in hell of anything akin to fairness, it requires that they have adequate representation. Without that representation, they run the risk of becoming victims once again of a government-controlled, government-dominated process that could have as one of the consequences their unjust return to their country of origin and what could well be a return to torture, death or unjust imprisonment, not only for that individual but for members of their family, for their children, for their parents, for siblings, even for friends.

I don't think there's a fair-minded Ontarian who wouldn't want to see this province, as part of its legal aid system, fulfilling that role of advocacy on behalf of refugee claimants. I think it's a telling thing that this government wants to play politics. The government members sometimes talk — even the Attorney General was talking about playing politics. This government's very much playing politics with the refugee issue and its position on the refusal to make a commitment to the provision of services for refugee claimants by way of legal representation.

Are there refugee claimants who can afford their own counsel? Not the majority — I wouldn't hesitate to say that — but are there refugee claimants who can afford it? I dare say there probably are, but let's be clear: the vast majority — some of them may have been reasonably affluent in their countries of origin, but when they come here as refugees, as often as not they come here with literally nothing more than the clothes on their back and a small satchel of personal possessions, certainly not with any great wealth.

Is it all about funding? I think very much it is. Speaker, I'm going to warn you, I'm going to tell you right now — it's as if I could predict the future — that somebody may jump and suggest on a point of order that I'm drifting off topic. I can safely predict that that may well happen. Now for the life of me, I can't understand that sort of presumptuousness. Sometimes people just aren't patient enough to hear where you're going to and want to interrupt you halfway. I'd just caution you, if you stand up and tell me

I'm off topic, you're probably right, but a little bit of patience and we'll bring this back home to where we started and I'll demonstrate to you why it would be premature to rise on that sort of point of order. If people want to use time in that regard, if they want to use valuable legislative time in that regard, I suppose it's their prerogative.

2020

I've got a letter dated December 3 from a woman in St Catharines. She wrote a letter to Premier Mike Harris, and she writes most respectfully:

"Dear Premier Harris,

"Recently there has been a blitz of million-dollar ads on TV paid for by me, one of the taxpayers of the province of Ontario."

The author of this letter from St Catharines says she has also received some glossy pamphlets asking for her views on Harris's welfare reform and the health care system. She writes, "The TV ad which particularly provokes me is the one which compares the restructuring of our health care system to removing a Band-Aid."

Don't forget, this is a woman from St Catharines. Folks in St Catharines, like people across Niagara region, know that this government has targeted Hotel Dieu Hospital from day one, an incredibly important part of the whole health care system in Niagara, Hotel Dieu Hospital, with its historical and high-level commitment to oncology, dialysis and palliative care. So this woman knows whereof she speaks, and she very politely, in a most respectful letter to the Premier, speaks of this government's "restructuring" of our health care system, but in fact she knows that what that restructuring means is shutting down Hotel Dieu and other hospitals like it.

Mr Bradley: Destruction.

Mr Kormos: Destruction of our health care system.

There's a method here, let's make no mistake about it. I'm going to tell you what I've been telling people down in Niagara. Once this government has finished with health care, once they've shut down hospitals, defunded health care — and that's not to say that there won't be quality health care available to Ontarians. It'll be there — only if people can afford to pay for it, only if their wallets or their pocketbooks are thick enough or their bank accounts are big enough. But that is an aside.

The author of this letter writes to the Premier that she found particularly offensive the TV ad that compares the restructuring of our health care system — the destructuring — to removing a Band-Aid. She writes:

"I have had to accompany two people to the emergency wards of our local hospitals in the past six months. The emergency wards were understaffed and there was only one doctor on duty. This is an example of how your new health care system is working." I would say "isn't" working.

"People have died because of our present inadequate health care system. How many more have to die?" the author of this letter from St Catharines writes.

"I keep hearing you have directed millions of dollars into the home care system in Ontario. My husband

requires home care services and experiences difficulties and frustration because of your cuts and your new system. Caring, dedicated individuals are leaving the services and moving to other types of jobs."

That's what's happening in Niagara region. That's what's happening in this woman's life, in the life of her husband and in the life of her family. Members like the member from High Park know full well what I speak of. He's listening with great attentiveness because people may not have felt as comfortable addressing him as this resident of St Catharines would me. I share this with him now and I ask him as a backbencher with this government to take that message to his Premier, to take this message to his leader, to use his persuasiveness, if there is any.

Interruption.

Ms Lankin: That's harassment.

Mr Kormos: Ms Lankin makes reference to harassment. You can harass all you want as long as the Board of Internal Economy is as welcoming to me as it is to your Tory backbencher. You can harass all you want, pal.

I say to the member from High Park, take this message to your Premier. I say to you here and now that if you're really concerned about the people of this province and the health care system that you and your government are destroying, you will listen to this author and thousands like her who say "no thank you" to you and the likes of you who want to shut down her hospitals, like Hotel Dieu. As I would say that to the member from High Park, I would say it to every other member of the Conservative caucus.

Is this bothering you, Speaker? I only just met the gentleman.

The Deputy Speaker (Mr Bert Johnson): In this House we only have one person standing and that person has the floor. In this case it's the member for Welland-Thorold, and I'd welcome him to continue.

Mr Kormos: Thank you kindly, Speaker. I've been in Toronto often enough to be familiar with that type of conduct. You just ignore it, you don't get excited about it. If you ignore them and don't respond to them, as often as not they go away.

Ms Lankin: We've been trying that with these Tories for three years.

Mr Kormos: The folks in High Park have a plan. Let me tell you, they're looking to clear the way.

The author of this letter — you know, the smugness of the Conservatives here at Queen's Park, the sanctimoniousness, the Pharisaic attitude. Note that I'm not calling them hypocrites because that would be out of order, but I will call them Pharisaic. I spent some time looking for that particular adjective, that particular label. I couldn't find one any more appropriate than "Pharisaic."

Mr Ted Chudleigh (Halton North): What do you call \$50 billion in debt? What do you call that?

Mr Kormos: By God, there's a Tory backbencher who talks about spending taxpayers' dollars, which is what the purpose of the letter was. I wasn't going to mention it. Mr Gerretsen brought up the \$600,000 payoff, the hush money out of the Board of Internal Economy, the one

that the four Tories rammed through the board notwithstanding the persistent opposition of the two members of the opposition, Mr Gerretsen and very much Mrs Boyd, notwithstanding that they stood their ground and said: "Look, you've got legal opinions that say you're not liable. Why would you be using taxpayers' money to effect this settlement? Why?" The questions are still being asked. Why would four Tory members of the Board of Internal Economy squander \$600,000 worth of taxpayers' money?

Why, as the author of this letter writes, one Sheila M., would this government spend almost \$50 million on highly partisan advertising? That's the thrust of her letter.

You see, one of the issues around legal aid is going to be the adequacy of funding, because this government and subsequent governments, whichever government is elected in 1999, is going to have complete control over the funding and the level of funding of legal aid. What this government or any subsequent government daren't do through the front door they can very effectively do through the back door.

Sheila M. writes that caring, dedicated individuals are leaving services like home care and moving to other types of jobs. She writes, "Your government," the Harris government, the Tory government here at Queen's Park, "has drastically reduced social assistance rates."

I'll just add as a footnote that shortly after reducing social assistance rates they increased MPPs' salaries by at least 10% across the board. Sheila M. writes: "Your government has drastically reduced social assistance rates. Welfare reform has not worked." It hasn't worked. "More people, including children, are homeless in the province of Ontario than ever before. Men, women and children are going hungry. Do you not see the connection between an increase in poverty and your cuts, Mr Harris?"

Mr Harris doesn't see that relationship. Sheila M. certainly does. Sheila M. finds the cuts and the consequences all that much more tragic in the context of a government that has spent now almost \$50 million on glossy, high-priced television, radio, newspaper, magazine and door-to-door pamphlet type of advertising.

Sheila M. writes:

"Our children are being infected by your Common Sense Revolution. Children with special needs are suffering because they are not receiving the special services they require both in school and at home.

"You've asked for my ideas and opinions. First, the rich are getting richer," they're getting wealthier, "and the poor are getting more and more destitute. Second," she notes, and she says this very boldly, "wealthy people should be paying more taxes, not less."

She knows that Mike Harris's tax scheme, his so-called 30% tax break, doesn't mean much to the unemployed or to the average working person, or even to the middle-income person. But once you start making the big bucks, once you start getting close to the triple zeros, after the first three, once you start getting into the \$80,000, \$90,000, \$100,000, \$110,000, \$120,000 tax bracket, then Mike Harris's cuts put a whole lot of cash in your pocket

at the expense and to the detriment of a lot of hard-working middle-class people, working poor and unemployed.

Sheila M. knows that. She says, "The rich are getting richer, and the poor are getting more and more destitute."

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Second, she says, "Wealthy people should be paying more taxes, not less."

This government believes in giving tax breaks to the wealthiest. This government gives the biggest tax breaks to the people who have enjoyed the most prosperity in our society, to the detriment of and at the expense of kids and working parents and parents who very much want to be working but who can't in this era of higher and higher levels of unemployment.

Third, "revenues from casinos and other forms of gambling" — and she knows that these are significant — "should be funnelled into our health and social programs."

Fourth, she says to Mr Harris, "Simply stop spending our money on TV ads and pamphlets promoting the Progressive Conservative government."

She closes by saying:

"I'd appreciate a response to my letter, in particular to how you are going to rectify the problems in health, education and social welfare, where revenue from gambling is directed, why the wealthy cannot pay increased taxes and when you will stop spending taxpayers' money on ads."

She very respectfully closes, "Yours truly, Sheila," and uses her last name. I refer to her as Sheila M.

Here's a woman who knows what this government is about. This government is all about giving tax breaks to the richest, downloading on to municipalities — \$18 million in new taxes alone for the Niagara region because of this government's downloading — shutting down hospitals like Hotel Dieu, shutting down schools like Merritton High School.

Do you realize how expensive it is to shut down Merritton High School? I know this government had to steal the money from education to pay off its tax break to its rich friends. But do you realize what the cost is going to be to the community of Merritton? It's a community with a rich history, a community with a great tradition. Oh, I understand, I know, it got merged into the city of St Catharines. How long has Merritton been a part of St Catharines? A good chunk of years now. I can identify with it because it's so much like Crowland. You'll know what I'm talking about. You know my affinity for Crowland. I was born there; I grew up there. Notwithstanding that Crowland has been a part of the city of Welland for 40 years, now, Crowland still very much has its own identity, its own heart, its own soul, its own pulse. So does Merritton. But when this government starts to steal schools from municipalities like Merritton, it starts to eat away at the heart and soul of that unique community with a strong history and a rich heritage and a rich set of traditions.

Sheila M. knows what it's about.

Mr Bradley: The Tories say it's the board's fault.

Mr Kormos: Mr Bradley makes an acute comment and an astute observation. Mr Bradley notes that this government blames the board of education. I happen to know that board of education; I happen to know its chair. I happen to know that this was not an easy decision for them to make. I also happen to know that that board of education and its chair have articulated clearly that it's this government's funding formula that necessitated, that dictated, the closure of Merritton High School. The board was left with few choices. The board got marching orders from Queen's Park. One way or another, they were marching orders from Queen's Park. I know this government is obsessed with centralization of power; it's obsessed with an undemocratic approach to decision-making. I know that. A lot of people down in Merritton know it too. They knew it before, and those who didn't know it before are starting to understand it now.

Sheila M. knows this government's policies: big tax breaks for the richest, downloading on to the weakest and the poorest.

I've got senior citizens down in Niagara who have worked all their lives, who saved as much money as they could, as much money as you can when you're raising three, four or five kids, who have modest pensions and maybe even a bit of income from some savings and who thought they were going to do OK until this government's downloading and the huge increase in property taxes, accompanied by this government's imposition of yet another market value assessment. We've got old folks down there, seniors, retirees, who are in fear of being forced out of their homes, losing their homes.

I raised this with a group a couple of weeks ago, and somebody in the group said, "Well, what about these reverse mortgages?" Do you know what that means? That means you're gambling in a way that you would at a crap table in some American casino. Do you realize what position that forces you into? You know what? When you go into a reverse mortgage and you spend that money, there's no equity left in the house.

Do you know what's bizarre about this? How many generations have people struggled and worked and built a health care system so that folks could live longer? Now we're starting to see a generation of seniors who are hoping they don't live too long. It's pretty tragic, isn't it? They're hoping they don't live too long. They're hoping that somehow the timing of their lives will be concurrent with the money supply.

So here we are with this government's legal aid plan.

Mr Tilson: You've come back to it.

Mr Kormos: Of course I came back to it; I told you I was going to. I as much as promised you I'd come back to it. I didn't say, "I promise," but I indicated that I was going to digress for a few minutes and take a little route and then get back to the bill, and I did, and you know exactly what I was talking about. You'd have to have been a fool not to have understood it. I say that to the member.

Mr Gerretsen: It's possible.

Mr Kormos: Others are speculating now. I don't want to join in that speculation.

As I say, it's all about adequacy of funding.

One of the recurring issues before the committee was that legislatively the bill contains, as I said, the two-year guarantee of stable funding for refugee law. But we know that at the end of that two years refugee law is gone, finished, out of the picture. It didn't warrant mention or consideration in any other part of the bill, least of all in the earlier parts of the bill where they talk about the overall mandate of the legal aid system. It suffered much the same fate as has environmental law.

You will know that earlier today my colleague, the very capable, very able Marilyn Churley from Riverdale, addressed the concerns of the Canadian Environmental Law Association and the omission of environmental law from the definition of clinic law.

Mr Bradley: Has anybody been writing letters to the Minister of the Environment?

Mr Kormos: Mr Bradley, again being something of a provocateur, has suggested that there may well be a paper trail of government backbenchers, or at least one of them, trying to suppress prosecutions under the Environmental Protection Act here in the province of Ontario. I suspect the member for St Catharines has no personal knowledge of this but that he availed himself of the reporting of that incident and the outcry it generated among environmental activists. I suspect he read about that in the St Catharines Standard and in the Globe and Mail.

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Mr Bradley: Well, I read it in the Globe and Mail.

Mr Kormos: The member pretend he doesn't read the — let me put it this way: He doesn't buy the St Catharines Standard. That's not to say he doesn't read it; I know for a fact that he reads it. He has a system. The member for St Catharines, Jim Bradley, has a system whereby he has access to the Standard without ever putting a penny into the coffers of Conrad Black, because he figures, I bet — I don't know; I don't want to speak for him, and he might want to respond — that Conrad Black has already been the beneficiary of enough largesse from this government and doesn't need any contributions from Jim Bradley.

I'm very much inclined to agree. I take the same sort of attitude with respect to — let me tell you what I do with the Welland Tribune. I like the people who work for the Tribune, a good group of people. They're not very well paid and they're beat up on and pushed around by management. They are. Talk to some of them privately. Denistoun Variety accommodates me. Sang Ahn is the owner. He and his wife run Denistoun Variety, and their son Jay helps out. Jay's 11 or 12 years old now. Sang knows I come in the morning, when I'm in town, to pick up the Toronto papers, and he lets me read the Tribune. If I fold it carefully and don't crease it, I can put it back — because I don't want to pay for it either. Do you know all three daily newspapers in Niagara are owned by Conrad Black? Do you know what that does to any sense of independence of the press? Conrad Black, I'm told by some journalists, is not the easiest person to work for if you're a journalist with any integrity.

Earlier, Ms Churley, the member for Riverdale, had raised the concerns of the Canadian Environmental Law Association and the fact that the Canadian Environmental Law Association has been the leading voice for citizen access to the legal system, as a tool for protecting the environment since its founding back in 1970. It has a history of almost three decades now. CELA was among those that specifically proposed that environmental law be included in the criteria for the allocation of legal aid. It was also — this is what's most interesting — understood by many that the original draft proposal, the white paper, had a reference to environmental law in it but that this got deleted in time for Bill 68 as it was presented for first reading.

Environmental law, especially environmental law from the perspective that the Canadian Environmental Law Association has taken, is very much an issue that's inter-related with poverty, with low-income people, the individuals in low-income communities and neighbourhoods. Low-income neighbourhoods suffer disproportionately higher impacts from environmental problems. That makes it all the more imperative that environmental law, especially the kind of environmental law that the Canadian Environmental Law Association has practised for the last 28 years, be included in the definition of "legal aid services." They weren't. There were specifically omitted.

We know that poor people, lower-income people, are often exposed to multiple sources of toxic pollution. Low-income communities are more likely to have poor air quality. Poor people are more likely to work in polluting industries and to be exposed to higher levels of industrial pollutants. They're also more likely to work as migrant or occasional workers in agriculture and be occupationally exposed to pesticides. They often reside in inner-city neighbourhoods of mixed industrial and residential housing and with poorer housing stock. Urban poor kids, children, are more likely, because they're poor, to be exposed to lead paint, car emissions and local industrial emissions. Those are facts — not conjecture, facts.

Rural poor people are more likely to reside near power stations and landfill sites — fact, not speculation. Poor communities in rural Ontario, including aboriginal communities, have experienced serious water contamination problems, including contamination from mercury and radioactive mining waste.

Mr Bradley: How does that stack up against Bridle Path road?

Mr Kormos: Mr Bradley mentions Bridle Path road. I've heard of Bridle Path road; I've never had occasion to visit there. I don't feel apologetic about it. I just don't have any friends or acquaintances on —

Interjection: It's just Bridle Path.

Mr Kormos: Oh, I'm sorry. It's "the" Bridle Path, because of course when you're on the Bridle Path, to demean it with "road" or "avenue" or "lane" or "court" — if you live on the Bridle Path, you just say, "the Bridle Path, Canada," postal code deleted, because: "We're on the Bridle Path. We won't sully it with 'street' or 'avenue' or 'road' or 'lane'."

Mr Bradley: The Tories do well on that street.

Mr Kormos: Mr Bradley has been around. He indicates that Tories do well on the Bridle Path. I would have no doubt that he's right. I would think the Tories do well on the Bridle Path.

Ms Lankin: Is it "the Beach" or "the Beaches"?

Mr Kormos: Ms Lankin lives in the Beaches. She doesn't live on the Bridle Path.

All kidding aside, the point is well made. The people who live on the Bridle Path don't suffer the environmental hazards that poor families and their kids do in urban and rural Ontario. That's not to say that they haven't been impacted by environmental issues, but they're far less likely to need the assistance of legal advocacy than are poor people. The omission of environmental law from consideration or a listing of the areas of law that legal aid was intended to provide is a serious and dramatic one, and confirms, illustrates, reinforces this government's absolute abandonment of concern about environmental law.

Let me raise another issue. This one I have to confess I have mixed feelings about. I'm speaking particularly of section 22. I asked people appearing, especially — there was a committee of legal aid directors who appeared before the committee. I have regard for most of the legal aid directors I know. Certainly down in Niagara south Jim Railton has done an outstanding job. I should mention as well that I have the highest regard for lawyers, practitioners, who practise with legal aid certificates. Let me tell you, these lawyers, be they in family law or criminal law, the two most frequented areas of issuing legal aid certificates, are out there in the trenches on a daily basis without a whole lot of resources available to them.

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Mr Gerretsen: He's getting mad. Don't say that.

Mr Kormos: Well, they are. They're out there with heavier caseloads than I suppose anybody should have, but they've got them anyway, working, as I say, with scarce resources, and dare I say winging it? No, I'm not going to suggest that they wing it, but they're dealing with cases without the luxury of huge batteries of staff and investigators and forensic people and so on. They're doing a good job. I have the highest regard for those people, people like Mark Evans down in Welland, who I can identify as somebody who is held in extremely high regard as a criminal defence lawyer.

I want to point out section 22. Knowing legal aid directors, I also know a lot of the lay staff in a lot of the legal aid offices. I expressed some concern, and I express it again tonight, that this bill continues the requirement that a legal aid director be a lawyer. I put this to the panel of legal aid directors who appeared in front of the committee. I think all of them were lawyers; of course they were, because they were all legal aid directors. They assured me that was the best way to go, that legal aid directors should be lawyers.

It could well be that in the course of appointing and hiring legal aid directors, the majority, or even all of them, are lawyers, but to make it a requirement in the bill seems to me to unfairly exclude —

Mr Gerretsen: The law society is going to get after you.

Mr Kormos: Well, God bless — an individual who may have a great deal of experience in the area of legal aid, who may have demonstrated a great deal of proficiency in administration of the office — it's one of the important skills — and who over the course of their experience may have acquired a vast array of skills similar to what a lawyer would have. For instance, we know there will be lawyers available for legal opinions from the head office if there's a dicey or touchy or sensitive legal issue to be considered which that legal aid director, a non-lawyer, may want to consider.

But let's also consider this: There are all sorts of lawyers currently acting as legal aid directors. Some have civil experience, some have primarily solicitors' practices behind them, some have had criminal work. Most criminal lawyers will never become legal aid directors because a huge or substantial part of their practice comes from legal aid certificates. Therefore, they wouldn't want to be a legal aid director because that would preclude them from doing that kind of work; similarly, family litigation people.

I think the argument, and it wasn't very well developed in the committee — I respect what the legal aid directors who were there had to say. They clearly were advocates of people being lawyers, but I'm a little troubled by it because I think it excludes unfairly a consideration of people, people I know, for instance, in legal aid offices who, while not lawyers, in my view would be very effective and capable and skilled and talented legal aid directors. So I was troubled by the maintenance in section 22 of the requirement that a legal aid director be a lawyer before she or he is considered for the job, for the task.

I don't think that sends out a healthy message to hard-working staff in any number of legal aid offices who over the course of years have demonstrated their capacity, and a capacity which I say includes the capacity to be a legal aid director.

I've mentioned, as have others, that the act provides for guaranteed stable funding for refugee law for a period of two years. It provides for guaranteed funding for clinic law for a period of three years.

Then we were called upon to rely merely on the Attorney General's commitment. The Attorney General said, "Trust me." That's one of the world's three greatest lies: "The cheque is in the mail," "Your money cheerfully refunded," and "Hi, I'm the Attorney General of Ontario and I'm here to help you." The Attorney General said, "Trust me."

Interjection.

Mr Kormos: My colleague is thinking of another lie. Perhaps when it's her turn to speak, she can deliver her own punchline.

The Attorney General said, "Count on me." He may not even be the Attorney General six months down the road. If this government were really serious about stable funding for the overall system for a period of three years — like it says, "Trust me," — it would have included it in the legislation. That would have been a simple proposition. It's

already been noted — I thought my whip was waving to me. In fact he was saying, "Five minutes."

Ms Lankin: Four.

Mr Kormos: Four, Ms Lankin corrects him, as she's wont to do. She doesn't hesitate to correct the whip.

Mr Tony Silipo (Dovercourt): Or anybody else.

Mr Kormos: Or anybody else.

It's already been noted that there's no minimum standard as to what constitutes an adequate level of legal aid services. There is no recourse for the legal aid corporation, this arm's-length corporation, there's no process whereby it can go to arbitration, let's say, to determine a level of funding that would permit the corporation to provide a basic level of legal aid services, that would allow it to fulfill its mandate.

As I say, it's here. The structure has been approved by virtually everybody who appeared before the committee and by so many others I've talked to. People across the province, be they lawyers, be they people familiar with legal aid, have said, "Good." The prospect of an arm's-length corporation, a board, the structure — some concerns about the nature of the appointment process — people have said: "Yes, good. Good for everybody involved."

But at the end of the day, without a means whereby that corporation can ensure that it has an adequate level of funding, there's nothing there. It's all paper; none of it interpreted or translated into practice. It's hard for me to be particularly enthusiastic about this when this bill creates a structure whereby this or any subsequent government can effectively cut legal aid off at the knees, shut it down in a New York minute simply by saying: "No, you won't get the funds that you had last year. You'll be starved to a not-so-slow death."

So my lack of enthusiasm isn't about the structure as it's laid out in the bill; it's about this government's total refusal to build in any sort of structure or process to guarantee minimum levels of funding, and this government's abandonment and abdication of its responsibility not only to say, "Good for us, we're going to create a legal aid system that works and that's independent," but also, "We're going to accept our responsibility and call upon subsequent governments to fulfill their responsibility to adequately fund it."

I tell you, give it a year or two down the road and you'll see the damage wreaked by a government that doesn't want to acknowledge its financial responsibilities. It's going to have a corporate board of directors out there doing bake sales and raffles, trying to raise money, instead of the government accepting its responsibility to adequately fund a system that could be starved to death readily by this or any subsequent government. That's where the Attorney General and I part ways on this issue in a significant way and where I'm simply not prepared to accept his say-so. If he meant it, it would be a part of the bill.

The Deputy Speaker: Pursuant to the order of the House dated October 26, 1998, I am now required to put the question.

Mr Gerretsen: Shame. We should have some more debate on this, Speaker.

The Deputy Speaker: Order. Mr Harnick has moved third reading of Bill 81. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

The motion is carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

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FUEL AND GASOLINE TAX AMENDMENT ACT, 1998

LOI DE 1998 MODIFIANT LA LOI DE LA TAXE SUR LES CARBURANTS ET LA LOI DE LA TAXE SUR L'ESSENCE

Resuming the adjourned debate on the motion for third reading of Bill 74, An Act to amend the Fuel Tax Act and the Gasoline Tax Act / Projet de loi 74, Loi modifiant la Loi de la taxe sur les carburants et la Loi de la taxe sur l'essence.

The Deputy Speaker (Mr Bert Johnson): The Chair recognizes the member for St Catharines.

Mr James J. Bradley (St Catharines): Thank you, Mr Speaker, for the opportunity to continue my remarks on this most interesting piece of legislation, because what it does, obviously, is allow the opportunity to talk about gas pricing and gas taxes and the way in which they are distributed.

I should note that a lot of people out there think there are some specially designated funds within the government, that somehow there's money that comes forward from various sources that goes into a special category of funding. That of course is not true. What the people of Ontario should know is that there's only one big what's called the consolidated revenue fund where all the money goes.

For instance, they'll phone and say, "What do they do with all that gambling money they make from the casinos in Niagara Falls and Windsor?" I say, "It doesn't go into some special fund, it goes into the consolidated revenue fund." So when they say, "We need more casinos, these charity casinos, so we can give money to the charities," that of course is balderdash, as you would know, Mr Speaker, because there isn't a special fund it goes into; it goes into that huge consolidated revenue fund.

We talked a bit the last day about gas taxes and gas prices. At that time, gasoline in St Catharines was at 44.9 cents per litre, and all of a sudden for no particular reason — I guess the gas-busters on the Tory side were asleep at the switch — the gas price went up to about 51 cents a litre. That's about 30 cents a gallon that it went up. I thought every time there was apprehension about gas prices going up, they sent out four or five Tory backbenchers who had nothing else to do, gave them a camera

and they were supposed to scare the oil barons into keeping the price down.

Mr David Ramsay (Timiskaming): That'll do it.

Mr Bradley: Obviously it hasn't done it in this particular case, just as they snicker when they hear the Premier huff and puff and talk tough to the oil companies and then approach them like a pussycat when it comes down to the crunch. He doesn't call them on the carpet. For instance, I heard that the Minister of Consumer and Commercial Relations had them together in his office and it was a fine party. There was no reprimanding of the oil companies. It was a very pleasant chat, I'm told.

We know this government has two things it can do with the price of gasoline. Number one, it could pass a predatory pricing law which would prohibit the major oil companies from selling at one price to the independent operators and another price to their own dealers; make it a level playing field, in other words. Second, if they wanted to be quite radical, they could do what Bill Davis did in September 1975 when he passed an act which froze the price of gasoline, the price of fuel oil in this province.

This government isn't going to do either, because as Bill Saunderson, formerly the Minister of Tourism, said, "This government has no intention of interfering in gas pricing in this province." So we need not look to Mike Harris, with all his huffing and puffing, or his ministers to do anything about this. Just so we know that when they start barking at the federal government about this, the best they can do is to produce in the Legislature a resolution blaming some other level of government and not taking any action themselves.

There's another issue we deal with when we deal with fuel, and that is what's called the Reid vapour pressure. That talks about the amount of low-level smog which is emitted by gasoline. This happens in the summer. Here's what happens: You get into the months of June, July and August, when it's very hot, and there's a natural evaporation of the gas from one's gas tank, even when it isn't going. When they're putting gasoline from the pump into the car or taking it from the truck and into the tanks at the gas station, there's a certain amount of evaporation that takes place. This can be controlled by looking at the makeup of the gasoline. When you say to the oil companies, "We have to bring that Reid vapour pressure down," what they say is, "We can't do that because we'd have to close all the refineries and go out of business."

Something interesting happened in New Brunswick. There was a company — I won't mention it — that was producing gasoline for the New England states, where they have much tougher environmental requirements than in the province of New Brunswick, and producing gas for New Brunswick. Interestingly enough, in the same operation the same company is producing one set of gasoline for the US and one for Canada, and the cleaner one is for the US. Why did they do that? They did it because it was required by the New England states so that they have less of this low-level smog being produced; in other words, a lower Reid vapour pressure. That's what this province could do if it really wanted to.

Then we heard about sulphur in gas. This province was dragging its feet. The federal government finally moved to bring down over a period of five years the level of sulphur in gasoline in this country. The Ontario government didn't know what to do, because they really didn't want this to happen. They were prepared to bow to the pressure of the oil barons who said, "This will cost jobs and we'll have to close down our plants," and so on, when in fact all they have to do is adjust the refineries to solve that problem.

I am wondering, and I have to lead into this subject, whether as a result of the passage of this bill, we're going to see another orgy of government advertising. As I calculate it now, we're up over the \$50-million mark in what I call political partisan advertising. We're not talking about putting ads in the newspapers saying there's a position open in the Ministry of Consumer and Commercial Relations. We're not talking about advertising tenders, where companies can apply for a particular job and bid on it. We're not talking about basic information such as, "You should get your flu shot in the fall because the flu season is coming," or about the dangers of German measles for pregnant women. We're not talking about any straight information; we're talking about blatantly political advertising.

Even my Conservative friends in St Catharines are now embarrassed when they see how much money is being spent on advertising. I saw that my friend the member for Lincoln was in our local newspaper the other day denouncing the settlement for Mr McLean. He said he disagreed with it. The reason I get to that is he talked about how he hated that kind of thing when he used to be the head of the Taxpayers Coalition. I suspect my friend from Lincoln and others in the Taxpayers Coalition must be horrified at the fact that this government is spending now over \$50 million on what I call partisan advertising, simply there to enhance the position of this government.

The government is spending much more than that on other kinds of advertising, some of which is legitimate. But even when they do it legitimately, when you can say that it fits the category of legitimate, they still have to make it political. For instance, they're advertising in the United States now. They have these ads on television in the US, and you can guess whose picture is in the middle of the advertising: none other than the member for North Bay, the Premier himself, Premier Harris.

You would say: "If this is down in Kentucky or if it's in California, why worry about that? It's aimed at a US audience." Well, lo and behold, you find out that a lot of the advertising is taking place in border states, where on cable television or accessing it simply through television aerials or satellite television, you can pick up these ads from the United States — New York state, Ohio, Michigan, I think maybe Minnesota as well. So they're really being beamed back here. What do the ads say? What a great place Ontario is. As I say, I don't mind that when you're doing it way down in the US, where you're not trying to influence Canadians, but even when they're doing something I would agree with, trying to get business

here and trying to get tourists here, they still have to have a political angle.

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I'm told — you may or may not know this, Mr Speaker — that they have Mike Murphy on a retainer now. Mike Murphy is the US Republican Party consultant who worked on the senatorial campaign in Virginia of Oliver North of Irangate-Contra fame and on that of Senator Jesse Helms, who is certainly no friend of Canada when it comes to our dealing with Cuba. He has worked on both those campaigns and he knows how to advertise. The Conservative Party has him working here in Ontario now. Somebody said he's in a hotel room with a huge retainer. I don't know that to be true, I haven't seen him in a hotel room, but it sounds plausible. The member from Muskoka smiles, so he must know I'm on to something. There must be something happening there.

Anyway, all this advertising is going on. People say: "Is it because of this gas tax we have tonight? They may be lowering it or something, making some changes that reduce revenue. They're trying to tie it in. What does advertising have to do with this bill?" They're afraid that this bill will pass and there will be more advertising.

This is something you'd find interesting, Mr Speaker: They have this so-called Drive Clean plan. They've been developing this, or talking about it at least, for some three and a half years. They don't even have the plan in effect, but I'll tell you what is in effect: their advertising on television, this saturation bombing with advertising on the airwaves, the electronic media of course being the television sets.

They are usually very clever. They put them in places where they think people are going to be watching, such as newscasts. You see, if you put them around newscasts or Mike Duffy's program at noon hour on Sunday, they think, "People who are interested in news really won't know whether this is part of the newscast or it's a commercial or what it is." They're on the radio, and when you open up the newspaper — I saw the Globe and Mail the other day and there was a full pull-out section paid for by the taxpayers of Ontario, nothing but blatant political advertising.

If the Conservative Party wants to do this with the funds that are overflowing from their coffers, I guess I can't object to that. They will spend money on that; I can assure you they will. If they spent their own money, even though part of that is subsidized through tax credits, that's available to everybody. But what they're doing is using taxpayers' dollars to advertise to make the government look good. The same isn't available to the opposition. For instance, I don't mind if government members put out their householders or reports to their constituents, because everybody in the Legislature has that opportunity, or the Tory caucus bureau puts out press releases and so on. I understand that. That's part of the process.

What I object to, because it's not only a waste of taxpayers' money but an unfair advantage that the government uses, is the government using over \$50 million to talk about what a great job they say they're doing in

health care, in education, in municipal affairs. You name it and they're there to take credit for it. I've always said of this government, they're first in line to take the credit and last in line to take the responsibility. When there's good news out there, you'll find a contingent of ministers surrounding the Premier. When there's bad news, they're hiding in the background. That's what this government is very good at.

I look at this and say we're talking about a revenue bill, a bill that deals with gasoline taxes. It's more of a technical nature. But it reminds me that this government is moving massively ahead on increasing gambling opportunities in this province, despite an assurance that it wouldn't. You know the fight that we in the opposition and a lot of people in the public have put up against the so-called charity casinos, the new Mike Harris gambling halls that were to be placed in 44 communities in Ontario to operate up to seven days a week, 24 hours a day, 365 days a year, or perhaps a couple of days less than that. The pressure was so great, especially on the video lottery terminals, that the government started to do some polling, found out it was in trouble, started to listen to even their own backbenchers who were uneasy about this and said, "We'd better step back." So the minister got up to take the heat off. He said, "No more charity casinos — well, just four — unless there's a municipal vote which says they're OK and they meet all these conditions."

We have several charity casinos going up now, casinos by the back door. They're putting hundreds and soon thousands of slot machines into racetracks across this province. In effect the racetracks are not horse racing tracks primarily by the time they get through; they're casinos. Of course, they're preying upon the most vulnerable people in our society, people who are addicted to gambling — and that's a growing number that grows each week — and vulnerable people who are low-income perhaps and see no other chance of getting ahead except this one chance, because they don't have good connections for the jobs. They don't know the presidents of the corporations and they may not have had an opportunity, for money purposes, to access education, because they know how high the tuition is in this province today. In desperation they try to win it all in one toss of the dice, which will be soon, or in one operation of the slot machines.

Make no mistake about it. Anybody who thought this government had abandoned its quest is wrong. What I resent are the agents of the government heading out to various communities trying to talk them into the casinos, places like Brantford and Sault Ste Marie and Thunder Bay and so on. What they'll do as well — this is a trick that Professor Kindt, a law and commerce professor who visited here last week or the week before from the University of Illinois, talked about. He looks strictly at the economic impact of casinos and he thinks the charity casinos are a loser. If you put one in a community, for instance, where you're not drawing tourists — Niagara Falls draws tourists; Windsor draws tourists from abroad — essentially you're just taking discretionary dollars and spending

them on gambling instead of other services and goods which may in fact produce more jobs.

They try to portray that as being beneficial. Then they send their agents around to communities and call all the charity groups together and say, "Look at this pot of money we have to give you now, and it's only because we've got these charity casinos." That's baloney. You and I know that. The government could, if it wished, take the money it already receives from the three major casinos we have, Casino Rama, the casino in Windsor and the casino in Niagara Falls, the rake-off the government has there, and apply that to funding for the charities, and they'd have just as much money. But as Professor Kindt said, this is a trick the pro-gambling people use all over. They try to get the charitable groups out there who are desperate for money. Because the casinos are competing with them, they try to get them onside. They try to go to municipalities desperate for funds because of the impact of downloading, like the \$18 million it's costing the people of Niagara for that. They prey on those people.

Yet right around the racetracks now, my good friend from Virgil knows — I know in his heart of hearts he probably agrees with me on these gambling initiatives. I won't ask him to say it tonight, but I have the feeling that he does. He must wonder why the government would go through the back door and flood the racetracks now with all these slot machines and take away the emphasis on the racing itself, on looking after the horses.

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Mr Tom Froese (St Catharines-Brock): The only thing I bet on are Leafs and Sabres games.

Mr Bradley: That's probably acceptable. I know it's only 25 cents in that particular case.

I want to say as well, about this tax we're talking about, I think we should apply the money to keeping the Hotel Dieu Hospital open. In St Catharines now they've got a fight going on among some people. Most people of goodwill say: "The Shaver Hospital provides excellent chronic and rehabilitative care. We've got the General Hospital, which provides emergency and acute care in an excellent fashion. We've got the Hotel Dieu Hospital, also emergency and acute care in an outstanding fashion. All good hospitals. Why come in and disrupt, why come in and bar the doors to the Hotel Dieu? Why close the windows, put the boots to the Religious Hospitallers of St Joseph who have operated for years?" If they wish to bring more services to St Catharines, we're pleased to see them. They can be accommodated in any one of our hospitals, and we will need them because we have in the Niagara region, on average, the oldest population in the province of Ontario, and perhaps in Canada, on a per capita basis.

In schools — it has been mentioned earlier this evening, and you may have this happening in your constituency, Mr Speaker — historic Merritton High School is being closed as a result of a decision of the board of education. It's not that the board of education wanted to. They didn't go to a meeting saying, "Oh boy, let's close Merritton High School." They're faced with a new

funding formula, with a new formula for space requirements. In effect, a symbolic gun is being put to their heads and they have to close secondary and elementary schools. Merritton High School is a casualty of that, and sad it is.

I'm sure that if the board of education had the opportunity to do so, they would keep that school and other schools open, because all of us recognize that they're not simply for educating students in the daytime. They're for night school, though this government has cut back on extended school, adult education. But they're for that. They're a community centre. The Cubs, the Scouts, the Brownies, the Guides, community groups meet in there. It's used for putting on plays, for sports activities. A school is part of the community, but this government seems determined to close them.

You know, you can't say easily, "I agree with the government's policies but I don't agree with closing Hotel Dieu Hospital or Merritton High School," or this place or that place, because it's as a result of those policies that those institutions are being closed.

In addition to that, I want to say that we have in this province a good opportunity to make some changes in terms of health care, to place additional emphasis on home care, on long-term care, but I think we have to remember that we will also need, as the population ages, more acute care, because senior citizens, advanced in age, tend to need that kind of acute care more often than younger people in our society. They are more susceptible to disease. Their bodies being more advanced in age are often hit with acute attacks of some kind or other and they require the emergency services, and certainly we need those in our city of St Catharines.

I always hope that the government, in its new speech from the throne, if indeed it's going to have one in its new session, if indeed it's going to have one, will change its mode of operation. The tactic so far, the style, has been that of, many have said, a schoolyard bully. It's not me saying this; I've heard others say they're like a schoolyard bully out there, or bulldozer operators. They just bulldoze ahead and the heck with the consequences.

I think good government comes about as a result of consulting extensively, analyzing problems, gathering all of the important information and proceeding with a solution that is largely based on a consensus in the province. Then you find the people who are on the front lines to deliver those changes are going to be energetic and enthusiastic and assistive in terms of their support for those changes. But when you try to impose them almost as a punishment on those individuals, then you're going to lower morale to the lowest it's been in some time. You see this in terms of health care workers and you see this in terms of those in the field of education.

Lastly, I again make a plea for the preservation of agricultural land. Since I know gas is used by farm equipment, I guess that's how I can tie it in. We have some significant tracks of excellent agricultural land in the Niagara Peninsula that I see under duress, under huge pressure for development. If members of this assembly have a vision of the Niagara Peninsula simply being suburban Toronto,

then that's what we'll have: development from downtown Toronto right to Niagara Falls and Fort Erie.

While we want good development, particularly in our downtown areas, redevelopment, and within our urban boundaries, what we don't want to see is the kind of urban sprawl which is now becoming an issue south of the border in the United States. Once you plow over the grapes in Tom Froese's farm, then you don't have them any more. Once you put something there, he doesn't have that any more. Once you get rid of the cherry trees, the peach trees, the apple trees, the apricot trees, the pears, the plums and the vegetables that are grown in the area, once they're gone, once that land has gone to development and you've got your umpteenth shopping centre, with the video store, the convenience store and the doughnut shop in it, once those are all over the peninsula, it loses its attractiveness and the quality of life begins to deteriorate.

I hope that won't be so. I hope this government will recognize what is happening and take the appropriate action before it is too late.

Ms Frances Lankin (Beaches-Woodbine): On a point of order, Speaker: I know the member for Kitchener-Wilmot went to look for enough members to have a quorum, but I don't think he has been able to find them. Could you ascertain whether or not there's a quorum?

The Deputy Speaker: Yes. Would you see if there's a quorum present, please.

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Deputy Speaker: Comments and questions?

Mr Tony Silipo (Dovercourt): I'm glad to have the chance to respond and comment on the presentation made by the member for St Catharines. In his usual very valid fashion, the member for St Catharines tied a number of different threads together in speaking to the fuel and gas tax bill.

I know one of the points he talked about this evening that he wants to continue to remind members of the House of, particularly the government side from time to time, is the inappropriate use of government advertising. I just thought that he would be interested in comments I have received from a number of constituents, these ones from parents and students at various schools. This one comes from Winona Public School. Among the many points they make to Mr Johnson, the Minister of Education, they say:

"Don't spend my money on advertisements to tell me the crisis is someone else's fault. Fix the problem. Send your education bureaucrats out to talk to the boards to discover the real program needs."

This one is by a woman called Nicole Miller, who goes on to say, "Your many, expensive ads are outrageous," and what you need instead is an education funding formula.

I know the member for St Catharines would agree with me that this is typical of what this government does. They want to paint over the problems or portray the problems that exist in a very different way, as they have been doing

by spending millions of dollars on advertising as opposed to dealing with the real problems in a real way that resolves the issues for people, in this case education, or whether it's concerns around the environment that the member for St Catharines was also speaking about in a very capable fashion, as he's wont to do in that area, as a former environment minister. I was particularly interested in the comments he made about the jurisdiction out east that was able, when pressed, to come up with two different fuels. The question he was putting was, why couldn't that be done for the Canadian jurisdiction, since they could do it for the American exports to the south?

2130

Mr Bill Grimmett (Muskoka-Georgian Bay): I listened with great interest to the speech by the member for St Catharines. While it was an entertaining speech as usual, I had difficulty finding a lot of detail about Bill 74. So I thought I would provide him with a question so he might have something to respond to. I wonder if he might make a comment about the section in the bill that provides more flexibility to distributors of special products. Some of these people have approached the government and indicated that they would like more flexibility to develop special products and collect the tax on them. I understand that under the legislation that presently exists, they're having difficulty not only marketing the product but collecting the tax on it. It certainly seems that a person with his interest in the environment would want to encourage those people to develop special products that might replace or augment sources of energy from the petroleum industry. I'll leave that for the member to respond to.

Mrs Marion Boyd (London Centre): I didn't expect to have an opportunity to comment on the speech of the member for St Catharines. It's always a puzzle to me how to tell him that he ranges so far that it's hard for all of us to keep up. I was listening in the lobby and I heard him mention at least three or four different issues in the five minutes I was there. So I would just like to say, about the member's efforts in this place, that he is always interesting, he always has something to edify us. He tells us with every word how passionately he feels about his riding of St Catharines; he brings it into the conversation at every turn. That, of course, is his job as a representative of his constituents. I would like to congratulate the member on managing to carry on such a wide-ranging discourse over 20 minutes without really focusing too much on the extensive content of Bill 74.

One issue I expected to hear him talk about was the history of how this bill has kicked around and some of the concerns that have been raised about gas prices and that sort of thing over a long period of time. The member is one of the longest-standing members of the Legislature and knows that the topic of gas taxes is always of passionate interest to constituents all over the province. I congratulate the member on his discussion tonight.

Mr Froese: I wish to comment on the comments that the member for St Catharines has made. I think he was talking about Bill 74, but I wasn't sure. I think he was

talking about this bill right here, An Act to amend the Fuel Tax Act and the Gasoline Tax Act.

I guess we're supposed to make comments about the comments he made. I appreciate his mentioning my name and mentioning the great town of Virgil. He and I think the same way as far as agriculture in the Niagara Peninsula is concerned. We're very strong on ensuring that farmers stay on the farm. I agree with him that it shouldn't be paved over. But in order to do that, we need to keep the farmers viable. As we know, the grape industry is very viable.

I appreciate his support. He is obviously on the opposition side and he spins his comments. He talked about Hotel Dieu, which is a very strong hospital in our area. He talked about Merriton High School as well. He forgets that his government should have been dealing with some of these issues in the past. But I appreciate his support of me when I bring forward to different ministers things for the city of St Catharines.

I guess I'm really not talking about the bill or anything like that, Bill 74, An Act to amend the Fuel Tax Act and the Gasoline Tax Act, but that's the way the member continues as well.

The Deputy Speaker: The member for St Catharines has two minutes to respond.

Mr Bradley: I thank all members for their kind remarks. My friend Tom Froese — that is the style we've used over the last three and a half years. While we're on opposite sides of the House, when it comes to looking after things for our community, we try to work together for the betterment of our community. That's the way it should be.

I noticed a bit of a poke when he said that the previous government should have dealt with these matters. I don't agree that previous governments should have closed Hotel Dieu Hospital or Merriton High School, however. That's where we would differ a bit.

We do have the same views on farming. I think it's very important to make sure that farming is a viable operation, and members from agricultural areas realize this. If it isn't financially viable, then it's difficult to keep the farmer on the farm. That is why I believe we have two choices: We either pay the appropriate price for food or we support farmers with various programs that governments come forward with. Though I'm an urban member, I can tell you that I support those kinds of programs to assist our farmers.

I'm glad the member for Dovercourt raised the issue of people complaining about government advertising. Everywhere I go I have people, including Tories, complaining about the tens of millions of dollars being spent on government advertising — self-serving, blatant propaganda.

The member for Muskoka-Georgian Bay asked a good question. I happen to agree with that provision in the bill. I think we need that. I think we can always find some provisions within a bill that are helpful. I happen to like that provision within this bill, and I'm glad he asked that question so I could underline that.

The member for London Centre, of course, was wondering whether I had spoken about gasoline prices. When I began the speech the other night I spoke at some length on that. I wanted to ease your concerns about that.

The Deputy Speaker: Further debate?

Mr Silipo: I'm glad to have the chance to speak on third reading of Bill 74 this evening and to say at the outset what a fascinating piece of legislation this is. If you love dealing with nuances of legislation and legalese — and there's probably more in tax laws — there's probably more in this bill to delight you than in most other pieces of legislation that we see in front of us.

In terms of the content of the bill, there isn't a lot of controversy in it. There isn't a lot of what we tend to see from the government in tax bills, and perhaps that explains most easily why this bill is now in front of us in its second incarnation. It was presented to us last session in essentially the same format as Bill 173, and it purports to deliver on a commitment the government made in its budget, not the last budget of 1998 but the budget of 1997, which gives you a bit of an indication how high on the scale of importance this bill is for the Harris government. We are dealing with third reading and presumably final debate on this this evening, in a time frame that has just a couple of days before we recess for the Christmas break and for what many, including me, believe will be the last real recess or break before we actually go to the polls, because I believe we may not see this Legislature back in any real way, other than perhaps to be called briefly back at some point in the spring for a throne speech, the reading of a budget and then an election.

2140

I noted with interest as I was reading the comments of Premier Harris on Focus Ontario the other night that when he was asked specifically by Robert Fisher, "Do you want to rule out a spring election here? The people of Ontario are watching" etc, Premier Harris responded, "Well, listen, I can tell you that we're certainly planning for a spring throne speech and a spring budget and governing, so that's really what we're focusing on."

I remember another time when the government deemed that January was the beginning of the spring session, so it may very well be that we will be here for a spring session that could start as early as January. It could be as short as a couple of days; it could be as long as perhaps a week or two. We will, I'm sure, get a budget in which the government will tell us that they've balanced the books and that we will get on with the important event most people across the province are waiting for, and that is the next election.

Bill 74 in effect brings in some minor changes which deal with how you measure taxes as they relate to the fuel that's pumped into cars particularly. It clarifies, for example, that where a taxable product, in this case fuel, is sold at temperature-adjusted volume, the tax collected should also be based on that same method; that is, because of the fluctuation in the volume of gas, dealing with the fluctuation and temperature, there has to be a similar and reflective share in the way the taxes on that fuel are calculated.

I found it interesting in the briefing that was provided to us that ministry officials assured us this was already being implemented. I guess all of the industry is already complying with this. I'm happy to have heard that and to know this is not the kind of measure that is going to change dramatically the amount of money that's collected by the government, because if it was, one would ask why they would be bringing in a measure that was going to raise taxes, as a government that doesn't want to raise taxes.

We will have to be assured by the comments we've been given by the ministry officials that we're not talking here about a lot of additional money, and that that, after all, is not the real reason they're doing it — at least that's what the government says — and that the real reason is just to bring everybody in line to do what is being done across jurisdictions now, which is to measure the tax you apply to gas to reflect, as I was saying, the actual volume of gas, which changes depending on the temperature because gas expands when temperatures are high and you then require a way of measuring that that's useful.

The other interesting aspect of this bill is the way it provides for the minister to be able to regulate with respect to the dyes that are used in gases. Those are important in terms of fuels that are exported so that we know which jurisdictions' fuels actually are being transported, particularly when the trucks are carrying fuel in between jurisdictions, and that is something we obviously want to ensure. So this provides both a legal framework and an administrative framework that allows the minister to continue to govern that.

We could talk at length about those nice little details, each of which is spelled out in a very detailed way in the explanatory notes we've been given. I thank the ministry officials for providing those, but I think to go into those would be, quite frankly, to bore everyone in this House and anybody who might be watching.

I welcome anyone who wants to actually talk in great detail about this. I'll be interested in listening. I said earlier that I was particularly fascinated by the comments that one of the former ministers of the environment, the member for St Catharines, made with respect to the issue of fuel and some of the ways in which regulations are set, rules are set, laws are set with respect to how clean that fuel should be and how companies that say they cannot do that because it's going to add to the cost find it quite possible to do it when they are forced with having to, and wanting to for market purposes, export fuel to the United States.

Some jurisdictions have more stringent regulations than we generally do here in Canada, and then, as the member for St Catharines was reminding us, they do manage to come up with two different kinds of fuel: one, the cleaner one, which is exported in that case to the United States, and the other one, which is sold in the Canadian jurisdiction. So it's not a question of, is it possible? It's a question of, is there the will on the part of the companies, and is there the rule-making and the legislative-setting on the part of the government? Therefore, is there the courage

on the part of the government? That's an area on which we need to spend more time. I wish this bill dealt more with that, because I think that would be a more interesting issue and a more useful issue for taxpayers across the province to be dealing with.

Another area that I find far more useful and interesting to talk about than the details of the Fuel Tax Act, as they are touched on in this particular bill, is what will happen to the provisions of the fuel taxes and gasoline taxes as they will be affected by another piece of legislation that this government seems, at least in its rhetoric, to be intent on passing and of which the Premier made a great deal today, and that was the balanced budget legislation. In that presentation the Premier gave us, there is mention that there will be a requirement in that legislation, if and when it's approved, of prior voter approval being necessary before the provincial government of the day could increase taxes in the personal income tax category, corporate taxes, retail sales tax, employer health tax and gasoline and fuel taxes, which together raise about 95% of all the provincial tax revenue, we are told, and I believe that's certainly the case.

I found it interesting that here was another piece of legislation, the one dealing with the balanced budget legislation, that is also one on which the Mike Harris government has a long-standing commitment. In fact, I believe Mr Harris and most, if not all, of the Tory candidates signed an agreement with the Ontario Taxpayers Federation committing themselves to bringing in that type of legislation. I know the folks in that organization have been after them since the installation of the government, wondering why they have not been able to deliver on that promise. Not up until today did we get from the Premier, with a lot of hullabaloo, as he is wont to do even when he comes in with something that may or may not see itself pass into law before his government is over — he comes in and says, "Here we are, we're now delivering on this promise." Here we are, two or three days before we adjourn for the break, and as I was saying earlier, before we adjourn for probably the rest of the life of this government.

I don't know how serious, to echo the member for St Catharines, Premier Harris is in wanting to put forward this legislation, if it's anything like what we've seen with the Fuel Tax Act changes, which took them two years to bring forward from the last budget. This commitment on the balanced budget legislation has taken them almost four years from the life of the beginning of their government. If it was something that really was central to their agenda, you would have expected to see that much earlier.

2150

I'm not going to be too critical on that score, on that particular issue, because I think what the government is doing there is fundamentally wrong. The issue of balanced budget legislation is simply a hoax that's placed in front of people. It's a pretence that there is control provided over the budgets. It only tells a fraction, not even half the story, because while legislation like that purports to give taxpayers the assurance that no taxes will be raised without a

referendum first, it doesn't deal at all with the reality of what a government has to deal with during the course of its mandate; it doesn't deal at all with the fact that taxes at the end of the day are what we collectively use to pay for the services that we deem to be important as citizens of Ontario.

Whether those taxes are collected through income tax, property taxes, fuel tax, business taxes, any of the taxes we collect, or any of the fees Mike Harris now calls user fees that he used to say were taxes and which people who are paying them know to be just another form of taxation, no matter what the source, the issue is that all of that money collectively goes to pay for the services we deem to be important.

You cannot put the issue to people in terms of saying, "Let's put in place legislation that prevents government" — or limits, because it doesn't really prevent governments, because governments could amend that law by virtue of the income tax changes or other tax changes they would want to bring in, but it purports to give people a sense that somehow, something is being done about maintaining taxes and not increasing taxes without telling people the whole story — that's not to say the whole truth but the whole story — about what that means.

It's interesting that this move is coming from the Mike Harris government at this late stage in their mandate. What they have lost in doing that, I want to say to them, is the ability to convince people that there is any validity to that promise, because people out there now understand far better than they have ever understood, after three and a half years of the Mike Harris government's providing an income tax cut that benefits only the wealthiest Ontarians on the backs of middle- and low-income Ontarians and at the cost of sacrificing many services that Ontarians tell us they want and are important to them, whether it's their schools, whether it's their hospitals, whether it's their community services, whether it's the support we give to people who are less fortunate, any and all of those ranges of services which Ontarians continue to tell us in any number of ways are crucial and important to them and that they're prepared to pay taxes for those services — in a fair way, but they're prepared to pay taxes for those services.

The difficulty that the Mike Harris government has now, coming in at this late stage in its mandate and pretending or trying to sell people on this notion of the taxpayers' protection, is that it just won't fly. It won't fly because people have seen the consequence of the tax cut; people have seen that the cost of the 30% income tax cut, which is the one promise, in my view, that Mike Harris has maintained, has been so severe that you will not be able to convince Ontarians any more that limiting taxes, whether it's fuel taxes, gas taxes, income taxes, property taxes, however you want to concoct it and present it to people, can be done in any way with no cost attached.

Am I saying that we should just continue to increase taxes? No, I'm not saying that and I want to be very clear about that. We will take, I expect, into the next election a position that we've already outlined in part in terms of one

of its main pieces, which is a commitment to roll back the tax cut that Mike Harris has implemented for people earning over \$80,000. We have been very clear about that and we have chosen to be very clear about that well before the election is called, because we believe that people need to understand the consequences of what Mike Harris has done.

We believe that most Ontarians will agree with us about taking back that \$1.5 billion that would be collected from reversing the Mike Harris tax cut for people earning over \$80,000. That \$1.5 billion is better spent on those collective services that we want for ourselves and our communities, in our schools, in our hospitals and spent in our many other services.

Mr Wayne Wettlaufer (Kitchener): Talk about the special assessment on OHIP too. You'd give that back to the public?

Mr Silipo: Somebody was asking about the details. Let me assure members of the government that we will have a very detailed, very spelled-out position on that which will outline exactly how it will apply and where it will apply. We'll make it mesh with the tax tables that exist now, but we have chosen to make the \$80,000 as the cut-off in terms of giving people the real picture. We've portrayed and painted that picture looking at the numbers that come from the Ministry of Finance, not numbers that we have made up but numbers that are readily available, numbers that tell us we are talking about basically 6% of taxpayers, because 94% of taxpayers are people who have a taxable income of less than \$80,000 or thereabouts.

What we are talking about is a very small portion, 6% of the taxpayers of Ontario, who are seeing collectively in that small component the benefits of the tax cuts to the tune of \$1.5 billion, and that's 25%, 26%. Just to give you a comparison point, almost that same amount of money, that 26%, is being shared at the other end by all the people who earn — in the last numbers I looked at I think it was all the way up to about \$40,000. So you have an incredible number of people, over half — 60%, in fact — of Ontario taxpayers, who collectively share the same amount in tax cuts they are getting as is being shared by a very small portion of people at the top end.

When you look in a more real way at what all that means on a day-to-day basis, yes, the Premier can run around the province with his jar of loonies and say, "This is what it means for a typical family." What the Premier forgets to bring is the other jar, into which we ought to put all the property taxes that those same families are being asked to pay, all the additional tuition fees if people have children or young sons or daughters they are trying to send to college and university, the 20% increases and more they have to pay in tuition fees and will continue to pay.

If they are seniors and they have to pay their copayment when they get their prescriptions filled, or if they have to pay the whole array of user fees that municipalities and other bodies are now charging that they weren't charging — these are user fees that, again I remind members, the Premier used to call taxes, but now he says: "They're not taxes; they're something else. They're user fees."

Mr Bradley: The second jar would be the fullest.

Mr Silipo: You'd probably need a much bigger second jar to be able to put in, to use the Premier's example of loonies, the same kind of thing that he's doing. You would need a much bigger jar. At the end of the day, you know what would happen, what that would show for most families out there? I'm not just talking about the poorest families across the province. It's quite true for them, but I'm talking about middle-income families. They would find what they would be putting into that bigger jar, what they are paying out, is far more than they are receiving through the Mike Harris 30% income tax cut, far more.

It's only that small portion of people at the higher income levels who maybe are seeing any benefits, net gains, from the income tax. We don't think that's a price worth paying. We don't think that collectively we should be satisfied with the deterioration in our services, whether it's in our schools, in our hospitals, in the rest of our health care services, in our social services, in our child care services, in that whole array of services that collectively make Ontario one of the finest jurisdictions in which to live but which is being quickly made to deteriorate month after month, year after year, in the kind of Ontario that the Mike Harris government and his measures are bringing about.

2200

We don't think most Ontarians want to see this Ontario deteriorate. We don't think most Ontarians want to see the kind of Ontario that Mike Harris is giving them. They are not fooled by this notion of the tax cut. They are not fooled by this simplistic view of looking at the world that I know is central to the public relations gimmicks of Mike Harris and his government. It's certainly been central to the many advertisements they have put out, whether on TV, on radio and in our newspapers, in which they try to sell a very simple message: "We're managing the store. We're doing it well. We're making the tough decisions."

It isn't so particularly tough to play the bully. It isn't tough to just come in and cut and slash and worry about the consequences later, and then after you've seen those consequences, after you've had group after group, whether it's small businesses on the property tax mess, whether it's the hospital administrators or nurses as far as the hospitals are concerned, whether it's parents and students and teachers as far as our schools are concerned, and in each of those examples, only after weeks and sometimes months of those groups pointing out to Mike Harris and his ministers and his government what the consequences of their actions are, we begin to see, late in the mandate, a little bit of movement in each of those areas by the Mike Harris government as he tries to appease people or, as I see it, as he tries to patch things up in preparation for the next election.

We had a classic example here over the last few weeks in terms of what we saw with the school closings issue. I was pointing earlier to one of a number of letters that I have received, and I know a lot of members have received, from students and parents in many of the schools in my area who talked about the plight that their school was

being put into and what the threat of their school closing meant to them. It was only after many of those parents and many of those students came together in protest that Mr Harris and his government seemed to pay any attention.

I could go on with these letters, but let me give you one example. This is from two very upset grade 8 students, as they classify themselves. I won't repeat their names but their names are here on the record. This is a letter they've asked me to deliver to Mr Harris, and I will. I will just quote one paragraph. It says: "In the years that you've been in office we've learned a lot. One of the things is the difference between good and bad governments. Your government, Mr Harris, is a bad government. Please think before you act. We don't want this delayed, we want it stopped." This was a letter that was written on November 30th, telling the Premier that people haven't been fooled by the announcement that he made delaying the cuts to the school system.

I know Mr Gilchrist, when he appeared with me on a TVO program the same night the Premier made the first announcement, made it very clear that the position of the government as he saw it was that all they were doing was basically giving the Toronto school board, which was the example we were using there, an additional year within which to make the cuts and find the money. He was very adamant about that. We kept saying, "But the Premier said these were all permanent changes, that the boards were going to look to more money here to be able to deal with the problems they have," and again Mr Gilchrist was very clear in saying —

Mr Steve Gilchrist (Scarborough East): Do you mean the member for Scarborough East?

Mr Silipo: The member for Scarborough East, one and the same. Thank you. He kept making the point that all they had done was simply given the school board one more year within which to find the money, as he put it. That's exactly the point we have been making. Anybody who believes that what the Mike Harris government has done with respect to school funding is any kind of a saving measure for those schools is really being fooled. But you know what, Speaker? People are not being fooled. People understand that this was, as the member for Scarborough East himself said, to paraphrase, simply a delay of one year.

If he's prepared to be that blunt and that clear about it, the only question I have is: Why do the Minister of Education and the Premier not have the same courage to step forward and tell us the same thing? If the member for Scarborough East were to be wrong, then I would want him to be corrected by one of the government ministers. I haven't seen the member for Scarborough East coming in saying: "By the way, what I said on that program on TVO the night the Premier made that statement was wrong. In fact, the Premier is right when he says these are permanent changes to the funding formula."

Mr Gilchrist: Right, it is permanent.

Mr Silipo: "It is permanent but we're going to get the money out a year later." That's the way we're supposed to understand this, right?

Mr Gilchrist: You'll see him in a few minutes.

Mr Silipo: All right, I'll see him in a few minutes. I'll be listening with great interest.

Here's the moral of the story. The moral of the story is that people are no longer being fooled. People are no longer buying the simplistic answers and the simplistic messages. There may be a fraction of the population who will. I've no doubt that the Mike Harris government and his party, the Conservative Party, continue to have an element of support out there. I'm not going to stand here and say that nobody supports what they're doing. Obviously, a number of people do. I may even wish that the proportion of the population that supports them was smaller than it actually is, but it's there and it's real, depending on the polls.

Any politician who tells you they don't look at polls or they don't pay any attention to polls is not telling you the whole story. Let me just put it that way. We all look at polls. We can discount some polls, we can condition them, we can justify them, we can explain them. Some polls mean far less than other polls. But in fairness, we all pay attention to the polls that show where each respective party is and what people say on particular issues. So there's no denying the fact that the governing party, the Conservative Party, probably has anywhere from 25% to 30% of people, depending on which polls you believe, saying that they generally support them. That's not a portion of the population to be ignored or to be sneezed at.

I'm sure those folks agree with the government line, although I suspect even within that group you will find some people, if you were to really ask them seriously, who would not particularly agree with the approach the government has taken with respect to advertising and with what they're doing. But they agree philosophically with what the government is doing. That's fair. That's part of the democratic process we live in. We at least acknowledge, if not respect, that reality; we don't have to agree with it. But I come back to the fact that, take any poll you wish, the vast majority of Ontarians does not agree with what Mike Harris and his government are doing, particularly does not agree when you deal with the issue of taxes and tax cuts and what they mean and what they translate into when it comes to the issue of services.

In the letters that I have here, whether from students or parents at Winona or many of the other schools, what we hear is the message that I have heard in school after school in the many meetings that I've attended, and I know other members have attended, throughout the city of Toronto and throughout the province on the issue of school closings. We heard a lot about it here in Toronto. Certainly I did in my own west-end community because there were a number of schools, in fact some 22 of the combined Catholic and public boards' schools, that were slated to be closed in my west-end community of Davenport-Dovercourt, however you want to look at that whole west end, but essentially in the Dufferin corridor. If things don't change, that will be a very large proportion of the schools in that area.

In school after school, the message that I was picking up was exactly the same. People were saying (a) they don't agree with what Mike Harris is doing; (b) they certainly don't believe that it's worth any benefit of a tax cut that they might be seeing; and (c) they laughed when any discussion of the tax cut came about because they certainly haven't seen any net impact of the tax cut. They haven't seen their paycheque go up in any great way. What they've seen instead are the increases in property taxes as a result of another measure that this government has brought about; what they've seen are the increased user fees; what they've seen are the increases in a variety of ways. Collectively and individually they're saying that in their families they're actually paying more and at the same time getting less in the way of services compared to what they used to have before.

2210

They don't see this rosy picture that Mike Harris and his PR friends are trying to portray. They see a very different world out there. They see a world in which their communities are being changed, all for the sake of a tax cut and in a way that isn't benefiting them in any great way. Isn't it ironic that when you look at the whole notion of that tax cut, of course the government chooses never to talk about the fact that that is money they have to borrow, that it is money they have to raise in any number of ways? They have to borrow in part and take in part by cutting away the provision of services in health care, education and other services, as we've been discussing, and by doing so they add some \$5 billion to the deficit.

If the government really was that serious about balancing the books, they could have balanced the books this year. They could have come in with a deficit being eliminated, had it not been that they have to put out some \$5 billion, if not more, depending on which calculations you want to rely on. They have to borrow that much money. It is money the government doesn't have. So a combination of borrowing and cutting from services results in the deficit continuing to exist in this fiscal year when, if the government was so serious about eliminating the deficit, they could have eliminated it this year.

When you look at the cumulative effect over the life of the Harris government, they will have added to the debt of the province some \$22 billion — this from a government that says they are against debt and deficits. It's one thing to blame the former NDP government, as the Harris government does, for having run up deficits during the worst depression since the 1930s, when we were in the early years of our government, when we chose to spend more and to borrow money to spend more to help people who were in dire need, hundreds of thousands of people who lost their jobs, because of the free trade agreement and because of other factors, as factories were shutting down here in Ontario. As we were going into what turned out to be the worst recession since the 1930s, we also chose to invest in creating jobs, because we, like many economists at that point, believed we were dealing with a short-term recession. Had that been the case, the measures we took were exactly the measures most economists would have

agreed were necessary to infuse some money into the economy to help protect the most vulnerable during that time and to help create a sense of job growth, because the private sector was doing very little in terms of creating jobs and growing jobs during that period of time.

It's one thing to criticize us for that action; it's quite another for the same government that's critical of that to be running up a debt and to be increasing the debt simply because they believe philosophically in putting out a tax cut which is not benefiting most Ontarians; in fact, it's benefiting the smallest number of Ontarians at the cost to that 94% or 95% of Ontarians who end up paying for the rest of that small 6%.

That's the reality of the Mike Harris government. That's what we see coming from the Mike Harris philosophies.

This particular piece of legislation that we are directly dealing with tonight, the Fuel Tax Act and the Gasoline Tax Act, while fascinating in terms of some of the little nuances and little pieces that are in here — I don't want to make light of those. They are important provisions in terms of helping us to govern and to deal with an area of law that the government is responsible for. That Ontario and Quebec switched to a new dye in November 1996, and therefore that has to be reflected in the regulation-making and the administrative structures, allowing the government to deal with this and make sure they are able to govern this important area of taxation, is nothing to be sneezed at. I don't want in any way to make light of the provisions of this bill.

I expect that the government will carry this bill. I don't believe we're going to put up any great opposition to it at the end of the day, because it is something that needs to be done to ensure that the legislative process keeps up to date with changes, in this case in tax governance and in providing that companies that sell fuel are taxed in a way that is equitable, that is fair, that reflects the change in the capacity and volume of gas, dealing with temperatures and affected by temperatures and temperature variations.

At the end of the day, this bill will carry and will become law and assist the minister of the day, the Minister of Finance, to carry out his responsibilities, and the ministry officials to carry out their responsibilities, in a way that cannot be questioned. As I said earlier, I'm glad to see that by and large we understand the companies are already complying voluntarily with a lot of the provisions in this bill, and that's good, but it's useful to bring the legislation in line with the reality of the taxation process.

On that score, I don't have any particular problems with what's here and I expect we will see this bill go through, but I wanted to take a few moments, as I've done, to talk a bit about the broader issues of taxation that this government so boldly tries to push, not just upon us in the Legislature, but more importantly tries to push upon the population out there; that is, that they are the taxfighters, that they know what they are doing, that they are doing all the things they are doing when it comes to tax changes in the interests of taxpayers. What we see more and more is that that is the farthest thing from the truth when it comes

to measuring the impacts of the Mike Harris government on typical families out there.

Typical families are the people I care about the most, the people I have the privilege and pleasure to represent here. They are families in a variety of income situations, from some of the poorest to some of the most well-to-do. That's a healthy mix to have in any community and in any riding that any of us represents. But by and large, the vast majority of people I have the privilege of representing in the current riding of Dovercourt are people of middle-income groupings and middle-income levels. As I talk to them, they don't see any huge benefits from the tax changes that the Mike Harris government has brought about. They don't see at the end of the day that they are particularly better off than they were a couple of years ago. What they do see, though, is that when they look at the services they are getting, whether those services are being provided by their local municipality or the provincial government, those services are less than what they were, those services have deteriorated.

When people complain about how much longer the ride is in the ambulance to the hospital, how many hospitals the ambulance might have stopped at before making the final delivery point to where their loved ones are going to be treated, then it gives you a very real picture of what actually is happening out there.

When people see the majority of their schools, whether they're Catholic or public schools, on the chopping block and in danger of being closed, not because they've gotten too small and therefore need some changes made but simply because a funding formula somebody else out there has set up says, "We're not going to give you the money you need to run your school and therefore it probably has to be sacrificed" — that's how people look at what governments are doing, either to them or for them.

What the people in my constituency are telling me more and more is that what they are seeing from the Mike Harris government is a series of actions that are not doing anything for them, but are doing a lot of things to them that they don't particularly appreciate. When their schools are being closed down, when their hospital services are gone — I think of Doctors Hospital, serving most of the west end of either the old Toronto or the new Toronto.

2220

Ms Lankin: It's not what this government was supposed to be about.

Mr Silipo: The member for Beaches-Woodbine is quite correct. It's not what this government was supposed to be about. It wasn't supposed to be about less services, it was supposed to be about greater efficiency, and isn't that an interesting example? The community and the members of the advisory board of that hospital came forward numerous times with a proposal that would have kept the hospital. They weren't even locked into the actual building. It wasn't a fight about the bricks and mortar, it wasn't a fight about the actual physical building; it was a fight about the entity of the hospital staying.

While they would have preferred the old Doctors Hospital to remain on Brunswick Avenue, they were even

prepared to say, "Fine, if you're going to decide, government, to move the hospital and incorporate the physical plant into the old Western Hospital," now all part of the new Toronto General Hospital, "then so be it. But at least maintain the distinctive nature of what the Doctors Hospital has been all about," which was a particular attention to the needs and how to serve the needs of the multicultural and multilingual population that we have in much of west-end Toronto; indeed in other parts of Metro, but particularly this hospital as it relates to that community.

Isn't it amazing that when they came forward and were even able to show how that could have been done for even less money than what is being spent now in this new global structure that we have, even with that proposal, the government, hiding behind the hospital restructuring commission, said: "No, we can't do that. It has to be amalgamated and it has to be amalgamated completely." Any time that any government minister or the Premier of the day gets up and starts to rant about government efficiency and doing more with less, I just think of examples like that, because what we are seeing and what my constituents are seeing is simply less, just less. They are seeing less in the way of services. The only thing that they're not seeing less of are taxes.

Mr Bradley: And advertising.

Mr Silipo: "And advertising," the member for St Catharines correctly jumps in. They're seeing a lot more advertising. There hasn't been much in the way of cutting there. If you want to cut, I say to Mr Harris and his government, cut there. You can use that \$50 million in a lot better ways to serve the needs of constituents in my riding and in many other ridings across the province than by doing what you're doing.

If you're really serious about taxes, then don't play this kind of silly game of cutting taxes for the wealthiest by cutting the income taxes and then simply shifting the cost of much of those taxes on to middle-income and low-income Ontarians by virtue of increases in property taxes, the whole array of user fees from tuition fees to medicine copayments and everything in between. Do you think that people aren't going to notice those things? Do you think that people don't understand what Mike Harris himself used to preach up to only a couple of years ago, and now we hear very little of, which is that there's only one taxpayer at the end of the day? Do you think that the taxpayers, whether individuals or families, when they go out and pay those taxes at the end of the day, think it comes from different pockets? It is the same pocket.

It's the one thing that Mike Harris had going for him when he presented himself to the Ontario taxpayers as the Taxfighter and said, "There's only one taxpayer." If only he had remembered his own advice; if only he had believed his own rhetoric but, of course, that's the problem with rhetoric. It's only rhetoric at the end of the day, and that's the problem with the Mike Harris rhetoric. He never actually thought it would have to be implemented maybe, or he never thought he would actually have to stand up and defend it one day. He thought it just sounded

good. It sounded great in those days, "There's only one taxpayer."

Now people are realizing that there is only one taxpayer. They are actually realizing that there is only one taxpayer and they're it. They're the taxpayer. Those taxpayers, family by family, are being asked to pay more and get less. You tell me what kind of a bargain that is, when you're being asked to pay more and more and more. You would think that if you're getting more in the way of services, then most reasonable people out there would say, "OK, if there's a good reason why I have to pay more, I'll tighten my belt and I'll pay a little bit more if I can." But when they see that they're not getting anything more, and indeed when they see that they're getting far less than they were getting before, then people begin to say to themselves, "Why are we doing this?"

When we talk to them about the income tax cut, people begin to understand why Mike Harris is doing it and then they don't agree with what Mike Harris is doing. That is more and more what I'm sensing out there, more and more what I'm hearing out there, more and more what I am picking up from people on a day-to-day basis, whether it's seniors or people on fixed incomes who have to pay \$300 or \$400 — \$300 this year and more next year for those families that have been hit with really high increases in their property taxes because of the new assessment system that Mike Harris has implemented here in the city of Toronto. These are seniors, people who have put their life savings into purchasing their homes and fixing up their homes. Now they're being asked to pay another \$300 a year for this year and maybe another \$300 next year until they fill out the whole of the increase that if the assessment increase were applied all in one year would be even worse. Those are the people I worry about.

I listen to people making over \$80,000, \$90,000, but quite frankly they are able to take care of themselves. People who are making \$50,000, \$40,000, I have to tell you, those families are finding it hard. Those families are finding it hard particularly if they are trying to meet their property tax bills. If they have parents who are elderly and need medication, they now have to pay more money; if they are trying to send their children to post-secondary education, to college or university, they are having to come up with much more money than they did before.

Those are the families that Mike Harris is going to have to answer to at the end of the day. Those are the families that none of his legislation — whether it's this new balanced budget legislation or any of the other pieces of legislation that reflect the Mike Harris taxation philosophy, he's not going to speak to any of those concerns, because what he wants to do is to try to put things to a very simplistic level that only gives people a piece of the message and doesn't tell the story about the impact that those real cuts are having.

Tonight we're dealing with the fuel and gasoline tax amendments through Bill 74; as I say, in the whole scheme of things not a hugely controversial piece of legislation, but certainly a step to that broader policy of taxation which the Mike Harris government has been quite

adamant in pursuing and which has been central to their philosophy and which we in the New Democratic Party are very strongly opposed to in terms of that broad philosophy.

That's why we have taken the step, unlike our Liberal colleagues, I might say, to say that not only are we against the income tax cut but we would actually do something about it. We would actually be prepared to roll back that portion that applies to people over \$80,000. By doing that we believe we are being both credible in terms of our position today and realistic in terms of the position that we will take into the next election with respect to where the money will come from when we talk to people about the importance of reinvesting in health care, in education, in many of our services. People will no longer buy the notion that the money will simply fall from the sky. You have to be able to show them where the money is going to come from. We have taken a very realistic position that says, "Here is where \$1.5 billion can and should come from."

I'll be very proud to take that position into the next election, to continue to talk with taxpayers, certainly in my own riding and across the province, and explain to them why we have taken that position and how it is that position is far more credible than what the actual Mike Harris government is doing, and certainly far more credible than what our Liberal colleagues have taken as a position, which at this point is opposing what Mike Harris is doing but not being prepared to undo any of the substantial pieces.

I'm going to end with those comments. I know this is a debate we will pick up at some point. I don't know when, but I don't expect we will be here much longer after we finish this week. We may be back for a few days at some point in the spring, however early or late Mike Harris chooses to define the spring, whether it's from January right on through to March, and we will see a throne speech and particularly a budget, and then we will be in the election, where I think all of us are eager to be so that we can hold Mike Harris accountable and hopefully replace him in government.

2230

The Speaker (Hon Chris Stockwell): Questions and comments?

Mr Gilchrist: The member for Dovercourt raised a number of issues during his presentation, a few of them related to the bill but a few that weren't. His comments touched on a lot of things: taxation in general, taxation theory, education funding. He mentioned that certain economists gave them advice, so there's no doubt people across Ontario thought the NDP were experts at controlling deficits. Whatever advice he got I hope he didn't pay for. Keynes himself back in 1932 said that the best way to balance a budget was from tax cuts, not by increasing tax. I guess his previous leader, Mr Rae, didn't pick up that little gem during his stay in Oxford.

The reality is that back here in the real world we know that the tax cuts have had an impact on the very people he's talking about, the typical family. I say that as someone who represents a riding with the highest density of

public housing in the province. My riding is as typical or perhaps even more balanced in terms of the demographics than his riding.

I know full well what the impact has been of the various tax cuts in Scarborough East. I know there are more people working. I know you can't find a retail spot to rent. All the premises on Kingston Road and Lawrence Avenue in the smaller plazas are taken up. I know there are fewer people on welfare in our riding because they're working. The very typical people who you suggest have not seen the benefits, I say, with the greatest respect, that I see that every day in our riding.

I think the people have a very different view of the future of Ontario than the one he espouses and suggests they should be having, based on his doom-and-gloom prophecies of the future. We have from Mr Silipo a number of things to look forward to in the future. His leader has said —

The Speaker: Questions and comments?

Mr Bradley: I thought the speech was very good, despite what the member for Scarborough East said. I was hoping he was going to say it was good, and then he started to pan it. I thought it was a very good speech myself. I liked it when he responded to interjections about government advertising — I thought that was particularly good — and when he dealt with calling the bluff on polluters. These people never want to call the bluff on polluters.

He got into the situation in New Brunswick, where you've got a huge oil company, which when told they had to reduce the Reid vapour pressure, that is, eliminate materials within the gasoline which cause low-level ozone or smog, which is bad, said, "We can't do that — impossible." Then the New England states said: "We've got a new rule. Your Reid vapour pressure must be nine point something. You can't send us this dirty gas or we won't buy it." You had the silly situation where you had a refinery here producing dirty gas for New Brunswick and cleaner gas for New England. I'm glad he mentioned that in his remarks this evening.

He certainly pointed out some of the challenges that had to be faced by the New Democratic Party government when they were in power in the deepest recession. These people have been running huge deficits, and they've got a booming economy because of Bill Clinton. I know they will be sending a letter to Bill Clinton thanking him for having low interest rates — they'll be sending that to Jean Chrétien too — and a booming economy so we can export to the US. I know government members will be writing letters to them. Still, you've accumulated \$22 billion in additional debt for this province.

Ms Lankin: I appreciate the opportunity to respond to the member for Dovercourt. I thought it interesting the way he contrasted this bill and the fact that here we are, on one of the last four days of the session, spending evening time debating this bill when much of the industry has already implemented the position. It follows on changes that were made at the federal level.

As he said, it's important, good housekeeping legislation that needs to be done. But the fact that it makes the priority list of the government in the dying days of the session I find quite interesting, particularly when there is a bill next door to it numerically, Bill 73, amendments to the Child and Family Services Act, which purports to be a very important bill for the government — I think it is an extraordinarily important bill — which the minister desperately wants passed and yet it's not being brought forward to the House, it's not being debated.

As the critic on children and youth issues, I've been waiting to have an opportunity to participate in debate on that bill with a lead speech and haven't had that opportunity yet. The bill sort of sits there, and yet the minister has got the whole community stirred up, writing letters demanding that the opposition parties allow this bill to pass, not that there's anything we can do to stop it from passing.

It's quite interesting the way in which the government sets its priorities. When we could have been debating a bill which will affect thousands and thousands of kids and their safety in this province, we are instead faced with the Legislature dealing with third reading on a bill that has essentially already been implemented.

It not only makes you question the priorities of the government, as the member for Dovercourt has said, in comparison to other activities in the province that we could be debating, but it makes you wonder whether or not there's actually support within the government ranks for the amendments to the Child and Family Services Act. Perhaps the minister has been left out to hang on a limb, and what she's attempting to do is to hang that limb —

The Speaker: Questions and comments?

Mr Wettlaufer: I find it odd that the member for Dovercourt constantly talks about tax cuts. He has sat, as I have, in the pre-budget hearings for the standing committee on finance and economic affairs and has heard, as I have, from many of the expert economists that tax cuts do in fact create jobs. Granted, he's going to stand up and have his one exception, because there has been one expert economist who has made presentations otherwise in each of the pre-budget hearings, but the majority of them have said that in their discussions with foreign investors, whether they be from Germany, England, the United States or Japan, if they wanted to attract investment here, those investors were not going to invest here unless they knew that their costs were going to be lower.

One of the reasons their costs were not lower, and they pointed to this fact many times, was the fact that the taxes in this jurisdiction were higher.

Ms Lankin: It's got nothing to do with personal income taxes. What nonsense.

Mr John Gerretsen (Kingston and The Islands): That's nonsense. You don't know what you're talking about.

Mr Wettlaufer: Isn't it interesting how the members of the opposition harp and carp. They don't like to hear the truth. They don't know what the truth is.

We have one question for the public today: Are they better off today than they were three and a half years ago? There are 461,000 net new jobs in the province as a result of our tax cuts. I think the people of Ontario are much better off. As far as taxes are concerned, I don't care whether they include property taxes, I don't care what taxes they include. Including the income tax cut, they are better off. They are paying less tax today than they were paying then.

As far as health care is concerned, my own region of Waterloo is a really good example of what the NDP and the Liberals did to Waterloo region. They did nothing for 20 years. We've got a new cardiac care centre in the region as a result of the policies of this government, a new cancer care centre.

The Speaker: Response, member for Dovercourt.

Mr Silipo: It's when you get responses like the one I've just heard that I wish the debate could go on, that I could be here to go on, because —

Mr Sean G. Conway (Renfrew North): What kind of masochism is that?

Mr Silipo: I don't know. It's just that those are the kinds of things you really want to be able to reply to. Economists are like lawyers, and I speak as a lawyer. If you shop around long enough, you can find one to agree with what you want to hear.

The reality is this: A number of people in this House have said in many meetings of the finance committee — to say it was only one economist who supported the notion I had put forward, then I want to say to the member for Kitchener that he hasn't been listening to the many economists at that committee. Even when they said that the tax cut was some element, they always couched it in such qualitative words, they talked about all the other factors that had a greater degree of job growth.

Interjection.

2240

Mr Silipo: No, just go back and read the record. Read the Hansard and you will see it there.

The member, and the member for Scarborough East and other members of the government, talked also about how people today are better off. I tried to say in my comments earlier that when I talk to my constituents, many of them are not better off as a result of the Mike Harris government. Maybe the member for Kitchener is finding that he's opening new wings to hospitals. What I'm finding and what my constituents are finding is that hospital services are being shut down; schools are being shut down.

Mr Gilchrist: There is no school.

Mr Silipo: "There's no school." Maybe not now. Maybe another year from now. Maybe that's been put off until after the election. I talked about the Doctors Hospital as a very real example. That service doesn't exist any more.

Mr Gilchrist: Sure it does. It moved to Toronto.

Mr Silipo: It moved to Toronto. Yes, it moved, it moved, it moved and it lost, it lost, it lost. That's the point. People are getting less than they were getting before.

People are not generally better off, and that's something that I know people on the government side don't want to hear.

The Speaker: Further debate?

Mr Grimmatt: It's my pleasure to join in the debate on Bill 74. I certainly enjoyed the debate earlier on this evening and I've had the opportunity to look back through Hansard to see the other speakers on third reading of Bill 74. I note with some mirth that there seem to be a lot of references in those comments in Hansard to an earlier speech I gave on second reading, so I want to let you know that I'm going to try as well as I can to stick to Bill 74 without repeating the remarks I made on second reading.

With a bill as exciting and stimulating as Bill 74 it shouldn't be that difficult, because we are after all dealing with the Fuel Tax Act and the Gasoline Tax Act. We're dealing with a bill that's trying to address concerns that have been raised by the industry, and we're also trying in Bill 74 to improve the cash flow of the government, always something that the provincial government has to keep a close eye on.

On the cash flow issue, the member for Dovercourt indicated earlier that part of the purpose for the bill was to bring into line with the federal government our procedures at the provincial level when it comes to collecting both taxes on diesel fuel and gasoline. These acts deal with the fuel that's used by motor vehicles in Ontario and they come under two different acts. The current method of collection used by the federal government is one we are trying to match up with at the provincial level, and I understand from some of the comments earlier in the debate that to some extent this has already been adopted as a practice. So the legislation is designed to accommodate to some extent suggestions by the industry on how to simplify the collection methods used by the provincial government and put them in line on a timing basis with what the federal government does.

The bill outlines how at present the federal government collects their fuel tax on a bimonthly basis and the province I believe is currently collecting it on a monthly basis. What we're trying to do is bring it in line with the federal payments. That should simplify things to some extent for operators and certainly will improve our cash flow. I understand it may have as much as a \$4-million annual impact on our cash flow.

That's something all governments want to keep a close eye on. Probably all governments in Ontario have tried to improve the cash flow, and it's certainly something we have to keep a close eye on. The public expects us to maximize our cash flow when we deal with this type of tax collection.

When you look back on the 1997 and 1998 budgets, some of the suggestions in this bill were mentioned in those budgets and, as the member for Dovercourt indicated, there was a bill brought in the last session — I believe it was Bill 173 — that was similar to Bill 74, which we're currently debating, but we weren't able to get to it in the final days of that session. What we're trying to do in addition to improving the cash flow is to minimize

red tape for fuel exporters. Fuel exporters have requested, and we are trying to comply with that request in Bill 74, to no longer have to give advance notice of their intent to remove motive fuels in bulk from Ontario. That may not seem like a terribly important issue to people at home, but the industry has brought it to us, we have considered it and we have included it in the provisions in Bill 74. We feel that will reduce the amount of red tape these people in the industry have to deal with without affecting the public interest.

I thought I would comment also on the particular section of the bill that deals with the volume measurement difference. This is really a rather complicated issue and has been commented on by a number of speakers who have addressed the bill. I have to admit that it is not an easy one to understand. This is an issue that has been brought to government again by the industry. The industry is concerned that there are too many methods currently of determining the measure of a fuel at different temperatures. The motive fuels industry introduced the temperature-adjusted volume measurement standard of 15 degrees Celsius to correct for the seasonal fluctuations of gasoline and diesel fuel.

The volumes of many liquids, especially motive fuels such as gasoline and diesel fuel, expand and contract with changes in the temperature. Volume based on weather temperature is referred to as "ambient temperature volume." Generally speaking, as temperatures rise, volumes expand, and as temperatures fall they contract. This volume measurement difference is especially noticeable with gasoline. In most cases, the same method of measuring the volume of motive fuel sold is used both for tax and sales purposes. However, in other instances, tax has been collected and a sale made on two different volumes of motive fuel. You might ask: "Why is that important?" I understand that in some cases retailers with ambient pumps may not be able to collect enough tax from consumers in the warmer months to recoup what was charged by the supplier using a temperature-adjusted volume because of a smaller volume measured by ambient pumps.

As the federal government has already done, what we're trying to do with this bill is introduce rules that require that both the tax and the product be sold based on the same volume measurement; for example, either ambient volume or the industry standard. We are now implementing a similar provision so that everyone in the industry can operate under the same rules and so that everyone will know what the standard is in terms of measuring the volume.

I mentioned earlier in a two-minute hit, in discussing the matter of the speech by the member for St Catharines, that the bill deals specifically with the issue of special fuel products. In researching the bill, I was surprised to learn that there are people in Ontario who are involved in the recycling of motor fuels. Anyone who has changed their own oil will find that there are certain places where they have to take their used oil and from there it's recycled. However, a lot of the companies that are in the recycling process are so small in their operation, and that's the only

product they deal with, that under the current law they don't have the right to be called distributors and therefore they don't have the right to collect tax on their bills under either the Fuel Tax Act or the Gasoline Tax Act.

They have come to the provincial government, to the finance ministry, and they've said: "We're in the business of recycling old oil and fuel. It's good for the environment. There is a market out there. We can sell our product. We're generating revenue, we're generating enough business that we can operate viably, but under the current provisions we're not allowed to operate because we cannot collect tax. We're not considered to be distributors."

The act specifies that people who are in the special fuel business, who are in the business of selling and processing special fuel products, can be designated by the minister, at the minister's call, to be distributors and therefore they would have the right to collect tax under both the Fuel Tax Act and the Gasoline Tax Act. I think the member for St Catharines would agree with me, and in fact he has already agreed with me tonight, that this is a provision of the act he could support. Actually, I'm getting the indication from the discussion this evening that both parties are likely to support the bill, and I certainly hope we're able to put this in so that the industry can enjoy the benefits of having many of these changes brought into the Fuel Tax Act and the Gasoline Tax Act.

2250

For the benefit of those watching who are interested in the details of the act, I thought I would provide some other information on some of the sections that haven't been discussed so far in the debate.

One of the things the act does is to provide one standard for how long people have before they're able to get in their appeal if they feel their taxes have been improperly assessed. In the past situation there has been a variety of time limits on when people could appeal their taxes or ask for reassessment. Under this act, everything will be four years, Mr Speaker. I'm sure you're delighted to hear that. I think the industry supports the idea of having the same length of time to collect the taxes and claim tax refunds and that's something the act would provide.

Another section of the act that is of importance to the finance ministry in terms of collection is that it deems persons who are distributors to be holding tax monies in trust. That provision allows the government to be the highest creditor on those monies so they can't be seized by other parties in the event of trusteeship or bankruptcy. Her Majesty in right of Ontario would have the highest right to those tax dollars. The distributors are deemed to be trustees of that money and they will certainly have to answer to the government in the event that they get into financial difficulty and have trouble paying off their other creditors. That's of course as it should be. Under most circumstances, tax dollars are held in trust for the collecting government that is owed them.

Other sections of the bill that are of interest include the section —

Mr Bradley: I can't think of any section of this bill that is interesting.

Mr Grimmett: I think it's very interesting, just as the member for St Catharines said, and I know he spent many hours poring over it before he gave his 25-minute speech this evening.

Changes in the bill are making it easier for the distributors to apply dye to their fuels, and the requirements for using dyes are clarified. Also, the minister is provided with added powers to assess a penalty against a person who uses the dye incorrectly. If you talk to people in the industry, such as the member for Quinte who has quite a history of being in the fuel business, there are a number of operators in Ontario and other jurisdictions in recent times who have been found to be using dye illegally or colouring their fuels when they shouldn't be colouring them. Those penalties have been increased under the act and that is something that I'm sure is going to be important in the industry. Most of the good operators in the industry want to see that happen.

Those are the remarks I want to make this evening on the bill. I look forward to hearing from the later speakers as we move along.

The Speaker: Questions and comments?

Mr Bradley: I found the remarks of the member absolutely scintillating on this bill. When he talked about the interesting parts of the bill, I was thumbing through it to see if there was an interesting part to this bill.

The one part I'm interested in that is not in the bill I thought might be in the bill. I was looking for the part that would contain a provision to prohibit major oil companies, the oil barons, from charging to the independent retailers a wholesale price different from that which they charge to their own dealers. That's a kind of financing or a kind of pricing which is called predatory pricing, and the member for Quinte would be aware of that. Unfortunately, he wasn't allowed to bring in a bill on predatory pricing. They had to give him a resolution to go and see the federal government about something.

I was looking for that, or I was wondering whether this bill would contain the provision that was brought in in the late summer of 1975 by Premier William Davis. When he saw the oil barons lining up against consumers in Ontario, he passed a bill in this Legislature — it had nothing to do with the election coming up — which prohibited the oil barons, the major oil companies, the conglomerates, from raising either the price of gasoline or the price of home heating oil. There was a person prepared to stand up to the oil giants, to the captains of industry who kept shifting the price of gasoline up and down. I was wondering why neither of those provisions would have been part of this bill. It would indeed have made it more interesting and more relevant to the general population of this province.

Ms Lankin: In the member's comments, he raised the fact that this bill is almost identical to an earlier bill that had been tabled by the government in a previous sitting of the Legislature; Bill 173, I think it was numbered at the time. It's interesting to note that that bill didn't proceed past first reading. It was tabled, it was introduced, it was read into the record for first reading, and the government House leader never called that bill back for any further

debate or discussion. Sometimes that is the fate of house-keeping bills.

In a sense, while there are some measures that are important in this bill and helpful to vendors of gasoline in terms of harmonizing tax collection periods between the federal government and the provincial government, and certain other rules, harmonizing for example the collection of taxes on adjusted volumes, whether it's temperature-adjusted or ambient temperature volumes — those sorts of harmonizations are important things for small businesses that often get caught up in the red tape of different levels of governments and the different departments within individual levels of government and their regulations and their requirements. So I think there are some useful aspects to the bill, but it is interesting that bills of this sort — and it happens with every government — often get left and don't get dealt with because of pressing public policy.

I would say to the member opposite that I find it passing strange that this bill, in the last two or three days of this legislative sitting, is being called forward as a priority on the part of the government when the Minister of Community and Social Services is making much ado about the fact that Bill 73, the Child and Family Services Amendment Act, has not been dealt with.

The Speaker: Further comments? Response?

Mr Grimmett: I thank the member for St Catharines and the member for Beaches-Woodbine for their comments and questions.

The member for St Catharines of course has spoken many times on many bills about the same topic, which is gas pricing, and he always manages to bring in Gary Carr's mother and casinos, and now he's got into the bashing of the oil barons. He's thinking probably about the Cleveland Barons.

Of course I was much younger in 1975 than I am now and than the member of St Catharines is now. I remember back in 1975 and in the mid-1970s when both the provincial and federal governments went on flights of fancy to try to bring in wage and price controls, to try to bring more government control of fluctuating prices in the marketplace, and I think generally speaking most people feel that was a completely failed exercise. Actually I think it's a good idea that we haven't embarked on the same kind of price freezes that were tried in the 1970s because I think history has shown that they aren't particularly effective.

2300

I can't comment on why Bill 173 wasn't brought forward. I really don't know. At the time I wasn't carrying that bill. All I know is, on this particular bill, there is a need to bring it forward to address concerns that the industry has raised. Some of the comments that I made about the companies that were in the special fuel products business — I'm sure they need to have these changes brought into law before they're able to get a distributor's licence. That's about all I can really address on the comments from the member for Beaches-Woodbine.

The Speaker: Further debate?

Mr Conway: Thank you very much, Mr Speaker. I see that you're taking a well-deserved rest. I think too much stress at this hour is not good for anyone.

Mr David Tilson (Dufferin-Peel): He's a wreck.

Mr Conway: I wouldn't call the Speaker a wreck, my friend from Caledon. That's almost intemperate, if not injudicious.

It's been quite an interesting evening. I've been sitting here listening to these remarks. There are two or three things I want to say about the bill, and I will confine myself to the bill.

The first and central concern I have has to do with that *bête noire* called "the adjusted temperature methodology." I simply say for about the fifth time that as far as I can tell — and I'm sorry our friend from Belleville is not here — this adjusted temperature method is anti-consumer in the Canadian context because it is pegged to an American standard. I gather the member from Muskoka has carriage of the bill. I'd like to know what the government intends to do, what we intend to do about this adjusted temperature methodology, because I hear from all kinds of gasoline vendors that this ATC, adjusted temperature control, is not a fair standard in Canada and Ontario where our winters are normally — and we're not talking about normal temps.

I've got to tell you, I spent four and a half hours tonight driving from my home in Pembroke across the Queen's highway system to get to Toronto. I don't know whether I should say this but it was a beautiful night on the road and there was almost a kind of celestial incandescence. The sunset tonight was probably one of the most beautiful I have ever seen. This weather is just absolutely remarkable. The roads were clear.

The price of gasoline is very interesting. You might be interested to know, I say to my friend from the Beaches, that gasoline prices in Toronto are about three or four cents a litre higher than they are in Pembroke and about five or six cents higher than they are in Petawawa and Chalk River; not a situation we see very often.

Ms Lankin: Why is that?

Mr Conway: Well, it's the dynamic of the marketplace.

I'm sorry to disturb the Attorney General who is ploughing through the New York Times at quite a steady pace. I don't fault him for that at all.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I'm listening.

Mr Conway: He's only got to the sports section. You've been very attentive. I celebrate your duty and your attention.

Ms Marilyn Mushinski (Scarborough-Ellesmere): Reading about Dennis Mills.

Mr Conway: Reading about Dennis Mills. The poor member from Scarborough wherever, she's so consistently choleric in her observations. It is the season of goodwill. If we want to have a debate tonight about who hasn't paid his or her taxes, I can tell you it won't be long before it becomes a very bipartisan debate. I'm not here to defend any member of my party or anybody else's. I just say to

the phlegmatic member who interjected a moment ago that just once, please, a hint of generosity, just a whiff of goodwill in the season of Christmas, might be a bit of an uplift to some old curmudgeons like myself.

Adjusted temperature control is an anti-consumer methodology, because in Canada, I say to my friend from Muskoka, it is set at a standard that more reflects the American climactic experience than that which we have here in Ontario. In the name of this bill, you have a duty, I hope, to explain to your consumers and mine if, as and when they're ever going to get any relief from this prejudicial measure.

I'm sure you're going to tell me it's the responsibility of some other government, that it's Mel Lastman's job or it's David Collette's job, but I just want to take the opportunity tonight to simply note that this is a piece of this legislation. I've heard, and continue to hear, particularly from small operators, that the consumers of retail gasoline products are not getting what they're paying for. In fact, my friend Rollins said the other week, "You should, young Conway, go and take a gallon jar" — I think he said a gallon jar; is it possible, Harry, to get a gallon jar? I guess it is — "and measure out what you get for what you pay."

Interjection.

Mr Conway: There it goes again. Mr Speaker, you're a man of warmth and goodwill. Can you not somehow inspire the lady from Ellesmere to do something sweet and generous rather than something caustic and political here tonight?

The suggestion that Mr Rollins made is a good one. In most cases, if you take what you pay for and measure it against what you were supposed to have received, you'll find a discrepancy, and it's not a discrepancy that is to the advantage of the customer. When you consider the trillions of litres of gasoline that are pumped regularly in this jurisdiction, one wonders whether Bill 74 shouldn't be adjusted to provide some greater protection for Ontario consumers.

You can just imagine the Americans. You can just hear them in the state Legislature in North Dakota or in Congress yelling and screaming. They'd have the sons and daughters of John D. Rockefeller at least backed into a corner and beaten up a bit. We are so wonderfully docile that if it's good for Standard Oil, it's got to be good for the people of Ontario; a small business, I know.

One of the reasons that transportation bills are always of interest to most people I know is that they speak to a very fundamental reality in the Canadian experience. As someone said, we've got an awful lot of geography. I say to my friend from Hastings, I drove through a lot of it tonight and it was particularly attractive through his part of the world. We are very dependent on our cars and our trucks and other vehicular modes of transport to get from place to place, and my friend from Chatham-Kent has sold more than his fair share. In fact, I'm in the market for a new vehicle. I should get some advice, Jack.

Adjusted temperature control is a real issue. I don't ever hear anything from government as to what, if any-

thing, we in Ontario intend to do about it. Before the debate's over tonight, I'd like to hear from someone, perhaps the parliamentary assistant for finance, if there is any concern in the current government about that particular problem.

A second issue — I thought of it tonight but it's been on my mind of late. Have you noticed, particularly along the throughways where the government of Ontario, I gather, still controls the franchises that we lease out to the big players — do we still do that? We must. Travelling east of the Queen city to the Quebec border, I've noticed in the last couple of years that you can't find the price of gasoline any more. Have you noticed how that's all disappeared? Maybe it's not a big issue, but on the third reading of Bill 74, the amendments to the Gasoline Tax Act and Fuel Tax Act, I would like to make the point that perhaps somebody in government should encourage, and if not encourage, then stipulate, that on the throughways, the freeways, the 401, the 400, the 407 or whatever, where there are the big gasoline outfits, where I'm sure a very substantial amount of petrol is sold, the consumer have at least the benefit of a clearly marked sign of what the retail prices are. It was there for years and for decades, but I have just noticed in the last 18 months that it's gone by the board.

2310

These days you can find in various regions or sub-regions of the province price differentials of upwards of 10%, so I simply want to make the point that again, thinking about the consumers — I thought the under-secretary for finance made a very good point, and there's no parliamentary secretary to finance who doesn't have as his or her first concern the cash flow of the exchequer. You wouldn't have the job and you wouldn't be paid if you weren't worried about the cash flow to the Ontario treasury.

That's all well and good, but it's always good to look at these things from the point of view of the consumer, and I submit tonight that the consumer is getting hosed in this province via adjusted temperature methodology. I think the consumer is not being helped and to some extent the consumer is being prejudiced by the fact that in recent times we are not seeing any advertisements, particularly on those big stations along the 400 series highways, of the retail price of gasoline.

While the hour is late and the moon bright and Christmas coming fast, I thought I would not talk about the Hotel Dieu Hospital in St Catharines and not talk about a variety of other things but simply submit on third reading those two concerns on behalf of consumers, not just in Renfrew but I hope and pray elsewhere.

The Deputy Speaker (Mr Bert Johnson): Comments and questions?

Mrs Boyd: I must say to the member for Renfrew North, I came back especially to hear his speech and am disappointed that he didn't take his full time and didn't go into full flight. I thought he was starting to. When he first started off his speech he started talking about, and I believe I heard it correctly, the "climatic" experiences of

Americans. I think he meant the "climatic" experience of Americans. In these days of Viagra, it might make a difference, so I just wondered about that.

I would share with him that even west of Toronto along the 401 and the 403 and so on, where you can find a gas station at all, because of course that becomes increasingly difficult, I think you're right; I think we are not seeing those signs posted about the cost of gasoline and I do think that consumers should be very clear that it is important to know as you go along what the relative price of gas is. Of course, you're kind of a captive audience when you're travelling along those 400 series highways.

I don't know about the member for Renfrew North but I find myself very often filling my gas tank — it's kind of low on my list of priorities so I often find myself with very little choice even if the price posted were one to which I objected. I'm not sure that if the posted price was one you objected to whether you would find it any better if you went off the highway.

The member for Renfrew North would know because there are very few of us in this place who drive as many miles a year as he does. He is famous for the kind of travelling that he does across the province. He probably has visited every village along every highway, so I always am interested in hearing what he has to say about any issue of travel.

Mr Grimmer: I'm pleased to respond to the comments made by the member for Renfrew North and I too am disappointed that he didn't take the full 20 minutes to discuss just about anything that he wants, because at 11:10 on a Monday evening it's always nice to have an entertaining speaker like the member for Renfrew North.

The suggestion he has made about the use of the 15 degrees Celsius: I would recommend that he look at section 2 in the bill, which deals with measuring volume and calculating tax. Rather than read the section, I'll just say that the option is there for either the adjusted temperature method or the unadjusted temperature method. In deference to his comments, I think I would have to as well speak to an operator to understand exactly what the practice currently is, but the act is designed to provide the operators with the option as long as they use the same method of measuring the fuel on all sales to the same person during the same year.

I don't know whether that addresses his concerns, but certainly next time I stop for gasoline I'll also be asking the operators for their views on that. However, it's my understanding that the industry wanted to have one consistent method of measuring the gasoline. I'm not sure whether I can really pass any opinion or comment on whether this is in keeping with some standard temperature in any jurisdiction in North America.

The other comment he had about the signs — I've noticed myself that there are very few posted gasoline pricing signs on the 400 series highways. That's certainly something we can pursue, perhaps privately.

Mr Ramsay: At such a late hour, it's amazing how entertaining a speech can be wrought out of such a highly technical bill as Bill 74, which deals with ambient

temperatures and taxation levels, but it's all the work of government — not so much an interest to consumers, gasoline pricing being the big interest of consumers in northern Ontario.

As was observed by the member for Renfrew North, who from time to time — though unlike now, I guess — has usually a regime of high gasoline prices, it's an issue that perennially comes along in elections and to politicians that people are very concerned about the high level of gasoline, especially in northern Ontario, where many times it's as high as 10 cents more per litre, though not as much today with the very low level for crude oil that we have around the world. It's an issue that really fails to have a resolution, in that many parties and many governments have proposed resolutions to it but none of us has been able to resolve the situation that in a free market the companies are allowed to set their prices.

However, I've found that from time to time, when the prices do get high, pressure from local politicians and municipal and federal politicians, as we have done a few times at home, has really faced down and embarrassed the oil companies to start to put the prices down when people start to raise a fuss. In areas such as where I live in northern Ontario, where there isn't the competition that causes the gas wars to give highly competitive prices, there are other methods of putting pressure on the oil companies and it's something that from time to time we have to get into. I wish it wasn't so and we could always get southern Ontario oil prices at home, but there are ways of getting those prices lower.

Ms Lankin: It's always a pleasure to respond to the member for Renfrew North. I found interesting his explanation, or I guess the concern he was raising, with respect to the temperature-adjusted controls. It's not something I'd given a lot of thought to, particularly as it relates to this bill, because as I understand this bill it's just the government saying, "Whatever volume you're selling at, we're going to tax based on that price at that volume," so the government gets its revenue, and there is the fact of harmonizing with the federal government as well.

There is, he may be interested to note, an increase in taxation that will be coming to the government. The parliamentary assistant talked a little bit about the tax harmonization bringing a cash flow benefit to government, but it's more than that. There is actually a slight increase, and I find that interesting from a government that, in any other guise, would say that is something that should go to the people in a referendum. In fact, their new referendum bill suggests that should be part of it. While I was interested in the concerns the member raised, I don't understand them directly in the context of this particular bill.

But I was particularly interested when he raised the point of the differential in gas prices, as we sit here tonight, between his home communities, particularly talking about Petawawa, for example, and Toronto, where Toronto's gas prices are higher right now. Would that the member for Timiskaming is correct in the points he raises, that simply embarrassing them would bring the oil companies in line in terms of gas pricing policies. I think

public pressure does from time to time, when there's a bit too much attention drawn to them.

I think I'm at a point where I wish governments would be direct with people, would say, if they don't intend to intervene in a free market, that that's just the way it's going to be, and not pursue these crass political, empty-of-content mechanisms and fooling people, like the gas-busters.

2320

The Deputy Speaker: The member for Renfrew North has two minutes to respond.

Mr Conway: I want to thank my friend from London Centre. I am truly red-faced for having misspoken myself. Like a lot of people, I've regrettably got impeachment on my mind this week and I did not use the proper language. I'm glad she corrected me.

The parliamentary assistant makes a good point, and I was aware of it in the bill. The issue, though, has to do with how the system works for the consumer. The big suppliers and of course governments can agree, because it really is no skin off their noses; it's just money out of the pocket of the consumer. As I understand it, in the marketplace it's basically big oil that decides whether or not adjusted temperature control is in fact going to be the standard. The parliamentary assistant makes a very good point; I understand that and I was aware of it being that way in the bill. All I'm looking at is that if I'm a consumer, in Toronto or in Pembroke or in Deep River or wherever, if ATC, adjusted temperature control, is the methodology being used, for at least half of the year I'm getting ripped off as a consumer in Ontario, because it's an American standard that doesn't reflect our weather conditions and it means I'm generally paying for more than I'm getting.

Somebody said something about high flight. I'm not taking any high flights at all for a few days, because the last time I tried to do something of that nature was yesterday morning, when on a beautiful Sunday morning with lots of clear air and bright sunshine I tried to back out of the garage in my house and didn't succeed. I ripped half the side of my car off in the process. So I'm trying to be moderate this week.

Mrs Boyd: No wonder.

Mr Conway: Yes. If I can't get the car out of the garage in my own house, I'm not taking too many flights, for a few days anyway — and I was sober.

Mr Bill Murdoch (Grey-Owen Sound): We don't believe that.

Mr Conway: Well, it's true.

The Deputy Speaker: The results were the same.

Further debate?

Mrs Boyd: I must say, it's always fun to listen to the member for Renfrew North.

I want to talk about a particular part of this bill that really interests me and I want to explain how I'm going to start. We have had from the government a very handy little chart that explains to us each of the amendments and gives real clarity about what sections of the bill those amendments appear in. I'm going to be referring to the

third page of this little chart. It's number 4, where it says, "Amend the offence provisions for carrying coloured fuel in the fuel tank of a motor vehicle." The explanation is:

"In 1991, the act was amended to define 'operator' and 'driver' and placed the liability for the offence with drivers who had coloured fuel in their motor vehicle tanks. Court decisions since implied that the responsibility for ensuring compliance, in the majority of the cases, rests with the operator, in other words, the registered owner. Similar cases involving operators and drivers under other statutes, such as the Highway Traffic Act, have supported this notion. The proposed amendment would charge the operator, the registered owner, with the offence."

This interests me, because of course the discussion we've had in this province over the issue of red light cameras, over the issue of photo radar, has been this government's ideological opposition to any kind of offence that would involve the registered owner as opposed to the driver of the vehicle. It interests me that in this act one of the features is a transference of responsibility from the driver to the registered owner, obviously on the contention that the registered owner holds the ultimate responsibility for what happens.

I am amazed, truly amazed, because although we have seen the current Minister of Transportation announce that there will be ways in which municipalities will be able to use red light cameras and indeed the announcement of a pilot project in the city of Toronto, this government has very vehemently opposed the notion that you would charge the registered owner as opposed to the driver. I can remember certainly back in 1993-94 the kind of outspokenness of some members of the current government front bench about the plan to have photo radar, which would have identified the registered owner of vehicles and have charged registered owners for the speeding that was going on on the 400 series.

My friend from Renfrew North talked about not being able to see the gasoline prices along the 400 series, but quite frankly no one could read anything along the 400 series with the speed at which traffic is now going. It is quite normal to see traffic moving along at a speed of 120 kilometres an hour, and some high-flyers zooming past at up to 140 kilometres an hour, and of course there is no mechanism available to the police to control that speed. I know that some strange ideas in the Conservative caucus seem to involve, "If you can't control the speed of people, you simply raise the speed limit and then it won't be a problem," but we all know that speed kills and that high speed is a very serious problem.

Ms Lankin: That wasn't in the caucus, that was the Solicitor General.

Mrs Boyd: My friend from Beaches-Woodbine tells me that it was in fact the Solicitor General who thought this was a really good way to solve his budget crisis and at the same time make people feel better about the high speed on the 400 series.

I find it quite fascinating, what with all that vehement arguing about how unfair it was, how it violated people's rights, how it wasn't appropriate to charge the owner of a

vehicle if that owner wasn't driving the vehicle, now to find in this act the acceptance of the notion that the person ultimately responsible for offences is the registered owner of the vehicle. It seems passing strange to me that we have this kind of doublethink going on in the Conservative caucus.

I must tell you that I, as the person who had carriage of the photo radar legislation, was the subject of such outcry from the Conservative caucus around this notion —

Mr Conway: And us.

Mrs Boyd: — and yes, indeed, from selected Liberals, as my friend from Renfrew North indicates, yet here it is in this bill and nobody's raising an outcry at all. In fact the government appears to think this is a very fine idea.

I see the real irony in this because I read out the whole thing and I said that in 1991, when we were the government, the act was amended to make drivers responsible, and now the act is being amended to make the registered owner responsible, and that appears to be a reversal of roles between our two parties. It's a confusing kind of situation when we have one kind of regime applying to one kind of offence and another kind of regime applying to another. The parliamentary assistant apparently does not know the answer to this question.

Mr Grimmett: I'm going to look it up and see if I can find it.

Mrs Boyd: He tells me he's going to look it up. I'm not sure where he's going to look it up, because I'm quite sure that this is the kind of thing that is there for ease of enforcement. That was the whole issue about photo radar, the whole issue about red light cameras, that you can in a very efficient way, using the technology available, enforce your regulations, enforce your laws, without having the level of expense, the level of danger to police officers that is there when they chase speeders on a four-lane, eight-lane or 12-lane highway.

2330

I find it very interesting that in this case the efficiency and the effectiveness of enforcement has been seen to be a logical way to enforce this particular offence section, whereas it wasn't with the others. We all have known for some time that technological change has made it possible for us to do many things differently. This is a government that likes to tell us, when we're talking about the restructuring of hospitals or the closing of hospitals or the closing of schools or the amalgamation of municipalities or the amalgamation of school boards, that they understand why people resist change, but that change is necessary. Yet they themselves, when there are technologies available that assist in the enforcement of laws that are there specifically to protect the safety of Ontarians, find it difficult to accept that technology is appropriate.

It might interest some of the members of the caucus, particularly those who were not here throughout all the discussions of photo radar, to know how thorough was the study of how that technology worked, how to protect the privacy of individuals. That, I recall, was a very big issue for a lot of Conservatives. There was all this worry that if a photograph were taken of the licence plate and inadver-

tently included a picture of the back of the heads of the people in the car, you would be able to identify who was in the car and that could become a surveillance technique or might be used in private lawsuits, that sort of thing.

Now, the interesting part of it is that the technology and the plan that the Minister of Transportation is prepared to put forward apparently allows people to take pictures from the front, in which case of course the driver would be recognized, or of the licence plate or of the whole car. There seems to be some confusion about what the purpose is. If in fact what the pictures that will be taken at red lights do is identify the occupants of the car, what does that do to privacy concerns? I had to go through all this in great detail when we were going through the whole examination of photo radar, and I can tell you there are conflicting views on all sides. The one issue is that you have to come down and make some decisions on this in a principled and consistent way, and this inclusion of charging the operator, the registered owner, with an offence in this case seems to me to fly in the face of many of the statements that the government has made.

I need to make my position quite clear. I think it is quite appropriate to charge the registered owner of a car, because if I lend my car to someone who is going to drive recklessly or over the speed limit or go through a red light, it is my responsibility for not ensuring that I have confidence in the person who's driving my car. I would say that this is an appropriate section; I'm just pointing out, of course, that it creates some confusion, in my mind at least, about what the principles are on which the government bases its laws.

You might think it's peculiar that I'm worried about that, Mr Speaker, because I think you're aware — you've heard me speak many times — that I don't really think there are very many principles that underlie and are consistent in the laws this government has brought forward. Quite frankly, the only consistent principle that I've seen is a drive to the lowest common denominator when we're talking about public services and a drive to the highest common denominator when we're talking about redirecting the wealth of the province into the hands of fewer and fewer of those at the top of the earning scale. That is very consistent, very ideological.

We know that this is a government which when it attacks civil servants, when it attacks trade unions, when it attacks those who criticize it, has a very strong view that if you disagree with their bottom-line way of looking at the world, if you disagree with their notion that we always have to be trying to drive lower and lower the services that we offer people, lower and lower the wages that we pay people, in order to redistribute the wealth of the province to those who are most wealthy already — that of course is consistent.

We see it through piece after piece of legislation, and it's having its effect, because if you lower the income of the lowest-paid people in the province and you ensure that you lower the taxes of the highest-paid people in the province, then you're going to have an automatic redistribution of wealth, and of course this is a government that

thinks absolutely nothing of setting up situations in which the employees within the province, those who are employed, find it harder and harder to ensure that their work is paid for appropriately.

This is the government — they did withdraw it, but we know that if they get a second term it will come back in — who attacked the employment standards legislation, who attacked the notion of people having minimum standards, who wanted it to be possible for unions to bargain below minimum standards in order to maintain jobs. We know that there are many in this government who are most enamoured by the notion of the right-to-work states in the United States where the whole purpose is to continue to drive down wages further and further, increase working hours for people, decrease working conditions, decrease workplace safety, the kinds of protection for workers, in order that the profit made by the company will get higher and higher. It's a very clear principle of removing wealth from those at the low end of the scale and pushing it up to those at the high end of the scale, and report after report is showing exactly how this is happening.

I want the members of the government to know that although you're responsible for a lot, you're not responsible for all of that; in fact you have complicit partners at the federal level. We know there is a right-wing ideological position that is very much in the minds of both the federal Liberals and the Ontario Tories that it is OK to transfer that wealth up the line, it is OK to widen the gap between the rich and the poor.

When I tell you that I'm confused about what your principles are around this issue of the registered owner being the one who is charged with the offence and say that puzzles me and it doesn't appear to be consistent, it's only because that registered owner is likely to be the person at the top end of the scale, while the driver is certainly likely to be the person at the low end of the scale. So it's interesting here to see that, given your overriding principle of distributing wealth to the high end, in this case you're going to be prepared to charge the high earner as opposed to the low earner. It does appear a bit confusing.

When we talk about bills like this, and we know that the government has the power in a majority government to push these bills through, whether they are consistent, whether they make sense or not, whether, as the member for Renfrew North suggests, they erode consumer rights, it sometimes can feel a bit futile. All we can really do is point out some of the inconsistencies.

I must tell you I believe fairly strongly that when we see a bill come back like this — it has been here before, of course; it was Bill 173 at one point and, as several members have pointed out, is actually already in effect even though the law has not been brought through the Legislature. It was a little commitment that happened in the 1997 budget and it died on the order paper when the government prorogued the House last year. It's back here again, and it raises its head at a time when the government tells us that there are all sorts of very important things that they absolutely must have before this government rises for the Christmas break and, as many have suggested, perhaps

never to return to this place until an election has been held, at which point of course I heartily believe they will not return.

2340

My friend from Beaches-Woodbine pointed out earlier in one of her comments that one of those bills is the Child and Family Services Act, a very important piece of legislation that is being clamoured for by those who are trying to protect children across the province. For some reason we're getting all sorts of calls and letters accusing us of holding this legislation up when in fact the House leader has not called the legislation and has not brought it to this place to be discussed. Instead of that, we sit here and discuss a fairly innocuous bill which has all the warts and bumps that many of these pieces of legislation appear to have but which has very little effect on the people of the province in the short run, at least when you compare it to an important piece of legislation like the Child and Family Services Act.

In a way it feels very peculiar that this government, with all its important legislation to get through, had to have this bill discussed tonight, had to have this issue dealt with, when there are so many other important ones that should be dealt with first.

The Deputy Speaker: Questions and comments?

Mr Jack Carroll (Chatham-Kent): At this late hour of the day I appreciate the opportunity to make some comments on the comments delivered by the member for London Centre.

She doesn't speak about gasoline issues with the same passion that she speaks about child and family service issues, and I suppose that's only normal. It may have to do with the lateness of the hour or it may have to do with her particular interest.

She says she was confused about what appears to be a difference in opinion about our interpretation of red light cameras and photo radar as opposed to offences under this particular act. I would presume the difference probably lies in the fact that it's not a moving offence, similar to a parking ticket. A vehicle is parked illegally, and the vehicle owner receives the ticket because it's not a moving offence. I presume that is the difference and I don't see it to be an inconsistency. In fact, if a vehicle runs a red light or is speeding, it is the driver who is committing the offence, as opposed to a vehicle being illegally parked or in this case containing some bad fuel. I don't think it's a confusing situation. I think it is a logical position to take, that moving offences would be interpreted differently from other offences.

Maybe she would make some additional comments on that when it is her chance to sum up. I believe that is the difference in that particular area and I don't believe it's an inconsistency on the part of the government.

Mr Conway: The hour is late and I should be careful on these matters. I just want to make a couple of points. The member for London Centre makes a point with which I differ sharply. I do not, as a practical matter and as a general rule, like to see policies whereby we fine the owner and not the operator of a vehicle. I don't care how

good the technology is, I feel very strongly that in a free and democratic society, notwithstanding technological advances, you should not be fining anybody but the operator.

At 11:45 I just want to register that complaint and I won't go into a full flight over photo radar. Poor old Runciman has been tempted, now that he's in government, and I understand the temptation, because it's a bit like the technology. God, if we could just get our hands on the money.

Nobody was a louder and harsher critic of photo radar. I'm even prepared to confess that there are now sections of the 401 north of Toronto where, for those few hours of the day when the entire highway is not knotted in a hopeless morass, when the average speed is four kilometres an hour, there must be 15 or 20 minutes in a 24-hour cycle when you could actually drive at something above the speed limit between the 427 and Victoria Park or whatever.

I accepted the argument that it's not easy, but I state again that the previous government, for all its good intentions, lost me when their agents — certainly not the ministers but their agents — left the very distinct impression that photo radar in 1992 or 1993 was more about picking my pocket than it was about changing my sometimes bad behaviour.

Ms Lankin: That's as close as we come, with the member for Renfrew North, to confessions of an MPP, a commuting MPP, but I know of what he speaks.

I find irony delicious and this is a case in which the irony just rings through this bill. The member for London Centre is so attentive to detail and so sharp and able to bring forward these points. The response of the member for Chatham-Kent just falls so short. First of all, the ministry's own briefing notes point out court cases that refer to all sorts of similar rulings by the court under the Highway Traffic Act and the provisions therein.

If the principle that is held so dear within the Conservative caucus is that you fine or you punish the offender — which is what we've heard when it comes to, as the member for Chatham-Kent says, moving offences, but more particularly when we come to red light offences and running red lights — then surely the case would hold that if the driver happened to be the person who filled the gas with the wrongly dyed gas — in other words, the illegal gas for which tax hadn't been paid — then it would be the driver. It would be perpetrator of the crime who should be the one who is prosecuted.

But of course that's not what this act provides for. This act doesn't even say, in the case where you can determine it, that's who will be charged. It makes it very clear that it is the owner of the vehicle. Isn't that interesting? Completely in opposition to the hard-held principle of the Conservative caucus in their opposition to red light cameras. The member for London Centre so deliciously points out the irony, and yet again here we are debating something which seems to run absolutely in contradiction to your own principles when there's such important legis-

lation as the Child and Family Services Act that we could be passing.

Mr Grimmert: I am not going to touch in great depth on the issue of owner versus operator mainly because I don't know the answer at this time as to why it's in the bill. But I want to congratulate the member for London Centre, unlike the member for St Catharines who managed to talk about many other issues besides the legislation that's under debate.

I suspect, without reading the legislation, that the member for London Centre has managed to find something deep in the bowels of this bill that allowed her to get from fuel taxes to photo radar. I have to congratulate her on that because that's quite a leap.

I think photo radar is another issue which I'd be quite prepared to debate privately, and I often do because, my wife being a police officer, I run into police officers of totally different views on that issue. There are some police officers who think it is a straight issue where you have to slow the traffic down. There are other police officers who think that it's ridiculous that you wouldn't just allow police officers to go around and charge the operators for changing lanes etc.

It's an issue we could debate at great length. However, the hour is late. I want to say, though, that several members raised this particular issue. Regarding the comments from the member for London Centre about our inconsistency as a government, I think we have been consistent. We set out some lofty goals when we were elected and I think we have, by and large, satisfied those goals. We have been consistently keeping our promises on the major issues and your party has been consistently opposing them. I think there has been a certain consistency in both our positions. I can't understand where the Liberals are on any of those big issues but I think we're all very clear on where we are.

2350

The Deputy Speaker: The member for London Centre has two minutes to respond.

Mrs Boyd: I'd like to thank the members for Chatham-Kent, Renfrew North, Beaches-Woodbine and Muskoka-Georgian Bay for their comments.

To the member for Chatham-Kent, I don't think it has anything to do with a moving offence or a non-moving offence, since the ministry's own briefing notes clearly talk about this as happening throughout the Highway Traffic Act. So, good try but I don't think that's an explanation for the inconsistency here.

The member for Renfrew North is consistent. He has consistently defended his right to drive at the speed he chooses without being caught. He has been consistent in his opposition to photo radar. I don't quite know what he does with red light cameras. That must be very confusing.

Mr Conway: I see it as a different issue.

Mrs Boyd: Oh, he sees it as a different issue. You see, there we go again, we're not quite sure where the Liberals stand on principle. If there's inconsistency with the Tories, at least over here we know there's inconsistency as well. Nothing is strange here.

Mr Conway: I don't see that as inconsistent. If you run a red light, you should get nailed.

Mrs Boyd: But if what happens is that a picture is taken of your licence plate —

Mr Conway: If you speed and you are apprehended, you should be fined.

Mrs Boyd: If the issue is that the camera takes the picture of your licence plate, it is the registered owner who will be charged.

The vehemence with which people deal with this tiny little element of this bill indicates quite clearly that there are many, many areas on which we disagree, and we can find them no matter what kind of bill we're discussing.

The Deputy Speaker: Further debate?

Ms Lankin: We were expecting that a member of the caucus of my colleague the member for Renfrew North was going to be speaking next, but he seems to momentarily be —

Mr Conway: Out for vespers.

Ms Lankin: — out for vespers, so at this point in time perhaps we can switch rotational order, and I will speak.

The government is bringing forward this bill, as I have pointed out, and I want to explore this issue at some length, at a curious time, late in the session of the government. The House is scheduled to sit for three more days and we're into late-night sittings, sitting till midnight, which is a time when the government usually uses the opportunity to deal with priority pieces of legislation.

I am at a loss to understand exactly why this bill, which was introduced once by the government in an earlier form, Bill 173, and was left lying on the order table after first reading, never called for second or third reading, allowed to die on the order table, has been reintroduced in this session as Bill 74, the bill we have in front of us now; a bill which puts in place some provisions of harmonization with the federal government, which are fine in and of themselves, not bad measures; a bill which actually puts into law a practice that is already in place in the field out there, in the industry. There is nothing wrong with that, that's good, but it's not compelling, urgent public business in the sense that the provisions, by and large, have already been put in place by the industry as the result of federal legislation that has already been enacted.

This is the bill the government brings forward for very serious debate with very limited time left, when there is a piece of legislation, the Child and Family Services Act, which the government purports to be a significant bill, and which I personally believe is a very, very important bill. It is a bill that deals with such heavy issues as including neglect as grounds for determining that a child is at risk of harm, and as ensuring that the threshold at which children's aid society workers can move in to either bring protection for a child or remove a child from a situation, to ensure that child's protection is changed to a level that, while it may be debated out there, the expert panel that reported on this felt was more appropriate, and particularly appropriate in terms of placing the child at the centre of the act and ensuring that the protection of the child was

the primary principle of the act and that all other goals and principles of the act were secondary to that.

This is a piece of legislation about which the minister herself has expressed great concern that there's a chance the bill won't be passed before the government goes to the people in the next election. She's so concerned that she has contacted everybody in the field who was involved in discussions around the development of this legislation and asked them to start a letter-writing campaign — the text has been provided, I guess, by the association out to some of the individual agencies because the wording is identical in each of the letters that have come in — asking them to demand that the opposition make this bill go through.

As people who have followed the changes in the rules in this Legislature will know, in fact there is no ability for us to force this legislation through, nor is there the ability for us to stop this legislation if the government wanted to bring it through.

I find it really interesting that the government called this bill for second reading on one day, and the government did their leadoff speech and the official opposition began their leadoff speech. The second day it was scheduled to be called was a day for which, because I would be doing the leadoff speech at that point in time, I had indicated a request if it could be rescheduled to an earlier day or to later that evening because I was attending at a hos-

pital with a dear friend who was going through surgery that day. The government said, "No, we've got to move ahead." Fine, we deferred the leadoff and we had other members from my caucus participate. I have been waiting ever since for an opportunity for the bill to come for its third day of reading so that I could participate in this debate.

It's quite amazing to me that here we are debating this tonight when this important piece of legislation — which was, by the way, scheduled to be debated last Thursday afternoon and which the government House leader pulled from the agenda with no explanation and substituted, interestingly enough, his bill from the Ministry of the Environment, which he said he wanted to get through by the end of the session. If I were the Minister of Community and Social Services, I would be asking about that.

Mr Speaker, there appear to be a few more minutes left on the clock, but if at this point in time you judge it to be nearing 12 of the clock, I will relinquish the floor and look forward to the opportunity to continue this at another time.

The Deputy Speaker: I judge it to be so close that neither one of us will argue about it. It being almost 12, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 2358.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Second Session, 36th Parliament

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Deuxième session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 15 December 1998

Mardi 15 décembre 1998

Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 15 December 1998

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS

ADVANCED FUNDING PROGRAM

Mr Rick Bartolucci (Sudbury): This is yet another example of this government's ability to create red tape in deals with the full-time Management Board Chair and part-time Minister of Northern Development and Mines, Chris Hodgson. It's with regard to funding of community groups and charities through the minister's advance funding program.

We have in Sudbury 94 local groups, 24 of which are playground associations, that are waiting for their funding to appear from the ministry. After the city's cultural grants committee has done all the work, we're simply waiting for the money to flow from the government, yet the government is intent on creating a bureaucracy that can only be deemed as unusual when you consider that it wants these 24 playground associations to provide them with copies of incorporation letters, a copy of notification of charitable registration, initial review pending, a copy of their constitution and bylaws, a copy of financial statements of previous years, a copy of current operating budget, and a copy of the most recent registered charity information return and public information return.

We're talking about the people who get up at 12 o'clock midnight to flood the rink, the ones who get up early in the morning to clean the snow off the rink so their kids will have some place in the community to play. I say to the minister, use your head and your brain and make sure that money flows to the people in Sudbury and across Ontario now.

HEALTH CARE FUNDING

Mr Len Wood (Cochrane North): We have some very disturbing news coming out of our northern Ontario hospitals as a direct result of gross mismanagement of our health care system by the Harris government.

Without any consultation whatsoever, the Minister of Health has directed the ministry to stop paying for the clerical and nursing support that visiting specialists rely on to treat their patients properly in northern Ontario. This cut in funding will cost Notre Dame Hospital in Hearst \$37,000 a year. It's going to cost St Joseph's hospital in Elliot Lake between \$60,000 and \$70,000 a year. It's

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 15 décembre 1998

going to cost Dryden District General Hospital \$38,000 a year.

If the Minister of Health had done her homework, she would have found out that 10,000 patients received care from visiting specialists at St Joseph's hospital in Elliot Lake last year. Another 9,000 received care in Hearst, 3,800 more got care in Kapuskasing, and that's just to name a few. These patients will now have to travel up to six hours each way to get the same services. It is going to actually end up costing us, the taxpayers, a lot more.

It's going to cost us \$525,000 more a year to send 10,000 patients from Elliot Lake, Blind River and Little Current to Sudbury. These patients used to be cared for in their hometown by visiting specialists for about \$60,000 a year. In my riding, it's going to cost \$713,000 a year to send 3,800 patients from Kapuskasing to Timmins.

In one fell swoop, the Conservative government has managed to spend more money and get less service, all the while downloading more of the costs to patients who can't afford it. It doesn't make —

The Speaker (Hon Chris Stockwell): Statements.

TRILLIUM TRAIL

Mr W. Leo Jordan (Lanark-Renfrew): I rise today on a matter that will affect every member of this House. I recently attended a tourism meeting in my riding of Lanark-Renfrew. Our guest speaker, landscape architect Ken Buck, discussed plans for the 3,500-kilometre Trillium Trail, which will not only link all of Ontario, but will also connect to the TransCanada Trail, joining this country from coast to coast. This millennium project will create a 15,000-kilometre, multi-use shared trail from St John's, Newfoundland, to Victoria, British Columbia, and north from Calgary, Alberta, to the Yukon and the Northwest Territories.

The trail will be used by hikers and bikers, cross-country skiers and snowmobilers. People are already signing up for a three-month cross-country cycling tour which will officially open the trail in the year 2000. We can all assist by helping to negotiate the necessary right of passage for land use in each of our ridings.

We are a nation of trail builders, and I'm proud to say that the residents in my riding have already begun planning our portion of the Trillium Trail. One of the plans hopefully would be to use the Smiths Fall VIA Rail station as a rest stop and picnic area, with showers and places to change.

I invite all members to join the people of Lanark-Renfrew as we work to unite our province and indeed our entire country in this millennium celebration.

SERVICES FOR THE DISABLED

Mr Pat Hoy (Essex-Kent): As we approach Christmas, I'm making a direct appeal to the Minister of Health to recognize the urgent needs of a disabled little boy by the name of Ethan Adams. Ethan has many serious problems that include autism, coordination disorder and epilepsy. Ethan's doctors say he is the most severely disabled little boy they have ever encountered who is able to remain at home. But in spite of this, Ethan has something that many children do not: the loving support of his family.

Against great odds, Janice Adams has kept Ethan at home and saved the taxpayers about \$170,000 per year that it would cost to keep him in an institution. Instead of helping Janice so her son can live in dignity in his own loving home, your government makes sure that every spare minute of her time is spent fighting for services for Ethan. She says your slogan "Services working for people" is hogwash; instead, it's people working endlessly to try and get services.

Minister, I have a letter from you telling Janice that a nerve stimulator Ethan needs is a fully insured service, covered through a hospital's global budget. But her specialist says there is no funding. He says people must express their anger to the government. Mike Harris has spent \$42 million on propaganda, yet you refuse to pay for a device that would make life better for a sick little boy. You must make good on this letter, Minister. Call Janice Adams and give her the good news for Christmas.

PAY EQUITY

Ms Shelley Martel (Sudbury East): Exactly one year ago today, the Harris government promised to pay \$140 million to cover one-time, retroactive pay equity costs. The government was ordered to do this after Judge O'Leary found the Harris government in breach of the Charter of Rights when it tried to cancel proxy pay equity.

One full year later, 100,000 Ontario women have not received a single cent of this money. These are women who provide care to the elderly in nursing homes and homes for the aged, who look after our children in child care centres, who provide important public services to other Ontarians. They are owed this money, and this Harris government has done whatever it can to avoid paying these women what they have been due since this government was elected.

The irony is that while the Harris government has stalled any payments throughout 1998, the government's most recent financial accounting tells a whole different story. In the 1998 economic outlook, the government shows this \$140 million as having already been paid out. This is a slap in the face to women who have waited so long for this government to do the right thing.

Worse still, the Harris government has made no commitment for money it owes to these women for 1998 or 1999. This government's treatment of these women is appalling.

On behalf of Anne Callaghan, Anita Giroux, Hugette Laurin, Mary Wilson, Nancy Leduc and other workers at Extendicare York in Sudbury, I urge this government to do the right thing.

1340

OSHAWA ECONOMY

Mr Jerry J. Ouellette (Oshawa): More than 461,000 new jobs have been created in Ontario since 1995. I am pleased to rise today to inform this Legislature of the new business investments and job opportunities that have been occurring in my riding of Oshawa.

Recently, Mackie Automotive Systems announced that it will be constructing a new 300,000-square-foot facility to enhance its just-in-time services to the automotive industry. This \$13-million investment in the local economy will house 550 employees at the new facility.

Another local company, General Printers, held an open house to showcase the \$5.8 million in recent upgrades to its technology and facilities in south Oshawa. Volumes are up 10% over last year and the company is in the process of hiring more people.

This investment shows commitment to Oshawa's economy and its community. These private sector investments in Oshawa and the development in the north and centre-west of the city demonstrate the growing confidence in Oshawa and Ontario as being excellent locations for growth and expansion.

These two businesses investing locally are just a few of the small and medium businesses in Oshawa that have benefited from the economic policies of this government.

Ontario leads the Great Lakes states in growth in manufacturing and capital investments, like those recently announced in Oshawa, and employment growth in Ontario between October 1997 and October 1998 outstripped that of the United States.

By cutting taxes, eliminating red tape and putting Ontario's economy back on track, business in Oshawa has been able to grow and invest in Oshawa and Ontario's economy.

GOVERNMENT ADVERTISING

Mr Dominic Agostino (Hamilton East): Every night Ontarians are faced with a barrage of government advertising. The latest we have seen is with regard to the Drive Clean program. We see the cute little cartoon characters on TV, we see the billboards, we see the radio ads, we see the newspaper ads, once again courtesy of the taxpayers of Ontario.

This propaganda is going to cost taxpayers almost \$2 million before the program gets off the ground. Let's remember that this is the program you promised two years ago. This is the program that was supposed to start in the

spring of 1997. This is the program that got delayed to the spring of 1998. This is the program that was supposed to start in the summer of 1998. Now we're to believe the \$2-million ad campaign by Mike Harris and Norm Sterling that this program is going to start in early 1999.

You can't even get your own house in order. By April of next year, of the 7,000 government vehicles, only 2,000 will have been tested. You can't even do your whole fleet before you supposedly kick this off across Ontario.

I think this is another disgraceful example of a waste of tax dollars. Hospitals can't get enough money, schools can't get enough money, you've gutted the environment, but you have up to \$50 million to spend on advertising and \$2 million that you spent on this Drive Clean program. It is a shame.

Nobody trusts you. Nobody believes you. Again you're going to fail to deliver this program, as you have on other occasions, and you continue to fail taxpayers by spending needlessly on advertising and self-serving propaganda intended to get Mike Harris re-elected.

EDUCATION FUNDING

Mr Rosario Marchese (Fort York): We have in the gallery about 30 students who are here from West End Alternative Secondary School, and from Contact School in my riding. They're here to protest the effects of Bill 160 on themselves as students and on their lives in particular.

They have sent a letter to the Minister of Education and I will read part of their very compelling argument against cuts to education.

"Dear Mr Minister:

"Although you believe that Bill 160 and your new funding formula improves the organization and quality of Ontario's education system, you have not listened to or consulted the people who are really being affected by your decisions. Everybody likes changes, but the changes have to be for the better, not just what you think is better for us.

"If you think about the future and all the kids who are going to drop out, please consider our experience as alternative school students. What a lot of people don't understand is that there are many different types of students, not as in good or bad, just different. Many students learn a lot slower than others do. Some students live on their own and have financial problems. A lot of them work and a lot are on welfare. Some students are also parents.

"If you take away all their means of getting financial and other help, support and resources like street workers and schools that meet students' needs, like West End Alternative, many students may end up quitting school and risking their future."

These students need the assurance of the minister that their education is not in jeopardy. They're here today because they're very unsure of their future under Bill 160 and anxiously await —

The Speaker (Hon Chris Stockwell): Statements.

HEALTH CARE

Mr Joseph N. Tascona (Simcoe Centre): I rise today to tell you that health care reforms are helping the people in my riding of Simcoe Centre.

Since our government came to power, we have seen tremendous improvements to provision of front-line health care in my riding. Our new Royal Victoria Hospital in Barrie is a state-of-the-art facility second to none anywhere. We now have an MRI and a breast screening clinic courtesy of the government's health care reforms. That's putting patients first. This means that thousands of women in my riding now have front-door access to life-saving diagnostics for breast cancer. This will save lives.

We just announced that there will be a full cardiac care centre at Newmarket's York County Hospital. This means that patients in my riding will soon not have to travel to Toronto for this life-saving service.

We are investing \$1.2 billion in long-term-care services in Ontario. Barrie will receive 82 new beds in the first wave. That's putting patients first.

The federal Liberals' slash-and-trash approach has cost this province more than \$2 billion in health and social transfers. Those are the only cuts there have been in health care in this province: federal cuts. We'll invest \$19 billion in health care this year, up from \$17.4 billion when we came to power.

I'm proud to say that our government is walking the walk on health care in my riding. We're putting the patient first in Simcoe Centre, and that is good news.

INTRODUCTION OF BILLS

RED TAPE

REDUCTION ACT, 1998 (No. 2)

LOI DE 1998

VISANT À RÉDUIRE LES

FORMALITÉS ADMINISTRATIVES (n° 2)

Mr Tsubouchi moved first reading of the following bill:

Bill 101, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting three new Acts / Projet de loi 101, Loi visant à réduire les formalités administratives, à promouvoir un bon gouvernement par une meilleure gestion des ministères et organismes et à améliorer le service à la clientèle en modifiant ou abrogeant certaines lois et en édictant trois nouvelles lois.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Hon David H. Tsubouchi (Minister of Consumer and Commercial Relations): These amendments will reduce requirements that are an unnecessary burden on business, simplify government processes, improve efficiency, and harmonize and modernize some acts.

There was a lot of consultation among ministries and the Red Tape Commission led by Mr Sheehan and the business stakeholders. There are some existing commitments which are being addressed, such as the harmonizing of the cost of credit disclosure rules and rules for direct marketing across federal and provincial jurisdictions, which will provide a consistent protection for consumers across Canada. There are other provisions dealing with the improvement of customer service, many of which were identified by our hard-working civil service, such as Rudi Wycliffe, to address things such as the Registry Act, which would allow people to do some very reasonable things such as register notarial copies of death certificates now, as opposed to actually registering the originals.

This will allow businesses in Ontario to do what they do best and to grow and prosper.

The Speaker: I just remind members that in introducing bills, the only germane comments are comments that reflect what is in the bill.

MOTIONS

COMMITTEE SITTINGS

Hon Chris Hodgson (Chair of the Management Board of Cabinet, Minister of Northern Development and Mines): I believe we have unanimous consent to move a motion without notice with respect to the standing committee on social development.

The Speaker (Hon Chris Stockwell): Agreed? Agreed.

Hon Mr Hodgson: I move that the standing committee on social development be authorized to meet today beyond its regular hour of adjournment for the purpose of considering Bill 76, An Act to Establish the Ontario College of Social Workers and Social Service Workers.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

DEFERRED VOTES

TAX CREDITS AND REVENUE PROTECTION ACT, 1998 LOI DE 1998 SUR LES CRÉDITS D'IMPÔT ET LA PROTECTION DES RECETTES

Deferred vote on the motion for third reading of Bill 81, An Act to implement tax credits and revenue protection measures contained in the 1998 Budget, to make amendments to other statutes and to enact a new statute / Projet de loi 81, Loi visant à mettre en œuvre des crédits d'impôt et des mesures de protection des recettes contenues dans le budget de 1998, à modifier d'autres lois et à en édicter une nouvelle loi.

The Speaker (Hon Chris Stockwell): It will be a five-minute bell; call in the members.

The division bells rang from 1350 to 1355.

The Speaker: All those in favour, please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted	Hardeman, Ernie	Ross, Lillian
Baird, John R.	Harnick, Charles	Runciman, Robert W.
Barrett, Toby	Hodgson, Chris	Sampson, Rob
Bassett, Isabel	Hudak, Tim	Shea, Derwyn
Beaubien, Marcel	Jackson, Cameron	Sheehan, Frank
Boushy, Dave	Johnson, Bert	Smith, Bruce
Carr, Gary	Johnson, David	Spina, Joseph
Carroll, Jack	Jordan, W. Leo	Stewart, R. Gary
Clement, Tony	Klees, Frank	Tascona, Joseph N.
Danford, Harry	Leach, Al	Tilson, David
Ecker, Janet	Marland, Margaret	Tsubouchi, David H.
Elliott, Brenda	Martiniuk, Gerry	Turnbull, David
Eves, Ernie L.	Munro, Julia	Vankoughnet, Bill
Fisher, Barbara	Murdoch, Bill	Wettlaufer, Wayne
Ford, Douglas B.	Mushinski, Marilyn	Wilson, Jim
Fox, Gary	O'Toole, John	Witmer, Elizabeth
Freese, Tom	Ouellette, Jerry J.	Wood, Bob
Galt, Doug	Parker, John L.	Young, Terence H.
Gilchrist, Steve	Preston, Peter	
Grimmett, Bill	Rollins, E.J. Douglas	

The Speaker: All those opposed, please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Cullen, Alex	Martel, Shelley
Bartolucci, Rick	Curling, Alvin	McGuinty, Dalton
Boyd, Marion	Duncan, Dwight	McLeod, Lyn
Bradley, James J.	Gerretsen, John	Miclash, Frank
Brown, Michael A.	Grandmaitre, Bernard	Patten, Richard
Caplan, David	Gravelle, Michael	Phillips, Gerry
Christopherson, David	Hampton, Howard	Pouliot, Gilles
Churley, Marilyn	Hoy, Pat	Pupatello, Sandra
Cleary, John C.	Kwinter, Monte	Sergio, Mario
Colle, Mike	Lalonde, Jean-Marc	Silipo, Tony
Conway, Sean G.	Lessard, Wayne	Wildman, Bud
Crozier, Bruce	Marchese, Rosario	Wood, Len

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 58; the nays are 36.

The Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be titled as in the motion.

VISITOR

The Speaker (Hon Chris Stockwell): I would like to take this opportunity to inform the members of the Legislative Assembly that we have in the Speaker's gallery today the Honourable Bruce Atkinson, member of Parliament for Koonung, Melbourne, Victoria. Please join me in welcoming our guest. Welcome.

ORAL QUESTIONS

HEALTH CARE FUNDING

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Health. On November 25 at 8 o'clock pm, Lisa Bouffard, a 26-year-old woman who was 25 weeks pregnant and who was experiencing a

high-risk pregnancy, left Women's College Hospital at the request of the staff and they put her into an ambulance. She was accompanied by five medical personnel and she was driven to Kingston. Two hours after arriving in Kingston, she gave birth to triplets. It is acknowledged that if those babies had been born en route, they would have died and she would have been in a very critical condition herself. The reason they had to put her into an ambulance and drive her to Kingston was because there was no room at the inn in Toronto.

The Speaker (Hon Chris Stockwell): Question.

Mr McGuinty: In the largest health care centre in the country there was no intensive care bed available. Do you accept responsibility? This is as a result of your cuts and your mismanagement of health care in Ontario.

Hon Elizabeth Witmer (Minister of Health): Our government has not made any cuts to health in Ontario. As the member well knows, the only people who have made cuts are the federal government. In fact, they have made somewhere in the neighbourhood of \$2.5 billion that we have lost in social and health transfer payments from the federal government, and I would hope that in the new year the federal government would see fit to listen to people across Canada and put more money into health.

Mr McGuinty: This woman and her three tiny, fragile babies were put at risk because there was no room in any intensive care unit here in Toronto. Furthermore, there were none available in Hamilton. They put her in an ambulance and they drove 300 kilometres. It took four hours. Two hours after she got to Kingston, she delivered the babies.

That mother and those babies were placed at risk because there was no staff available in Toronto as a result of cuts you've made to health care in Ontario to accommodate her needs. Quality health care wasn't there for her where she needed it and when she needed it. Are you now going to assume responsibility for the damage you're causing to health care and for the risk you are putting patients at in Ontario?

Hon Mrs Witmer: Obviously the Leader of the Opposition didn't hear the fact that the only government that has cut health spending is the federal government. Let me stress that our government has increased health spending from \$17.4 billion to \$18.9 billion, and that does not include the fact that we have absorbed the \$2.5 billion that we have lost in transfer payments for health and social services. In fact, when we were elected, not only did we inherit a budget deficit, but we inherited a health system that no one had had the courage to restructure.

So our government is restructuring the health system in this province in order that we can provide —

The Speaker: Answer.

Hon Mrs Witmer: — the specific level of services, we can provide more services, more dialysis, more MRIs, more cardiac centres, more cancer centres, more programs for healthy babies, more —

The Speaker: Final supplementary.

Mr McGuinty: I wonder if I might impose upon the Minister of Health in Ontario for a moment to think about

this patient. This is a 26-year-old mother. It is her first pregnancy. She arrives at the hospital here in Toronto, they admit her, they tell her she's at high risk, that there's a danger connected with this pregnancy. They say: "By the way, there are no beds available here in Toronto and there are none available in Hamilton. We're going to have to put you into an ambulance. We're going to have to spend four hours on the road. You're going to have to deliver your triplets in a city that's 300 kilometres away, and you're going to have to spend the next 12 to 14 weeks there after those babies are born. And you're going to have to pay for your own hotel accommodation in Kingston."

Do you think that's right, Minister? That's all I'm asking you. Do you think it's right that in Ontario today, if you can't find room at the inn they can ship you 300 kilometres away so you've got to deliver your babies in a strange city, away from your husband and away from your family and away from your friends? That's what I want to know.

Hon Mrs Witmer: To the Leader of the Opposition, when we stand up in the House it's extremely important that we always keep in mind that what we speak about indeed is a reflection of the true facts of each and every situation.

What I would remind you of is that the reason we have undertaken to strengthen the health system in Ontario in order that we can better serve the needs of patients is because these are the types of situations that had been brought to our attention. I'd just like to refer you to a situation at Ottawa General. This was when your government was in charge. "Doctor Garth Dickinson said there's a risk someone may die because" —

Interjections.

The Speaker: Order. Minister?

Hon Mrs Witmer: Again I would remind the Leader of the Opposition it's because of the lack of action on the part of both parties that our government has indicated our desire —

The Speaker: Answer.

Hon Mrs Witmer: — to strengthen our health system in this province, to increase the level of spending, to bring services closer to home, to respond to the specific need of the —

The Speaker: New question; official opposition.

BOARD OF INTERNAL ECONOMY DECISION

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Deputy Premier. This morning on radio, the Premier made a stunning admission. He was asked by the host of a radio show, "How is it that taxpayers are going to be stuck with the costs of defending Al McLean?" and the Premier answered, "I don't think the taxpayers should."

After the government lawyers said the deal was bad, after your own backbenchers said the deal was bad, after we in the opposition said the deal was bad, after virtually

every Ontarian said the deal was bad, finally the Premier decides that the deal is bad, he admits that the deal is bad.

My question to the Deputy Premier is, what arrangements are you now making to reimburse taxpayers \$600,000 of their money that your government used to pay off the Al McLean matter?

1410

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): First of all, the government is not making any arrangements. The Board of Internal Economy may well make an arrangement.

Mr McGuinty: Let's understand what happened here. The taxpayers of Ontario paid \$130,000 for the legal fees of your colleague Al McLean. Al McLean was sued for sexual harassment. This in fact was the third complaint, we learned today, of sexual harassment levelled against Mr McLean, a man who you consider to still be most worthy of sitting as a member of your caucus. Al McLean agreed that damages should be paid to Ms Thompson. I think that, in and of itself, speaks volumes.

Yesterday you said in your balanced budget legislation that if the taxpayers are ever ripped off, it's the responsibility of cabinet to pay up. I say taxpayers have been ripped off to the tune of \$600,000 in connection with this matter. Will the members of your cabinet, yourself included, Deputy Premier, now agree to make restitution and restore that money to the taxpayers of Ontario?

Hon Mr Eves: Are you suggesting, for example, that the Board of Internal Economy should not have paid Ms Thompson the settlement that was agreed to by both herself and the solicitors for Mr McLean? Is that what you're suggesting?

With respect to the point about the taxpayer protection and balanced budget legislation, you had an opportunity to vote yesterday on first reading of the bill. Undoubtedly you'll have an opportunity to vote and let the people of Ontario know exactly where you stand on balanced budget legislation and taxpayer protection legislation, which of course, as a member of the David Peterson government, you didn't have the intestinal fortitude to introduce then.

Mr McGuinty: The Premier has finally today acknowledged that he has ripped off taxpayers when he said that \$600,000 —

Interjections.

The Speaker (Hon Chris Stockwell): Order.

Mr McGuinty: Mike Harris said this morning on open-line radio that he didn't think the taxpayers should have to pay in this matter. He said this was a bad deal for taxpayers. He said it was wrong for taxpayers to have to come up with this money, especially when the government's own lawyers said that the taxpayers wouldn't be found to be responsible if the matter ever proceeded to court. In fact, yesterday afternoon Ms Thompson herself said she didn't think it was right for taxpayers to pay for Mr McLean's legal fees.

Your own balanced budget legislation provides that if taxpayers are ripped off, it's up to the cabinet to make restitution. Well, you know what? Today the Premier said that he was wrong. He's been caught. He's been found out. I'm now asking you, Deputy Premier, if you and your

cabinet are prepared to make restitution to reimburse taxpayers to the tune of \$600,000.

Hon Mr Eves: I don't believe the Premier said any such thing. I'm asking the leader of the official opposition, are you suggesting that Ms Thompson should not be paid the settlement money which is part of the \$600,000 that you refer to? Is that what you're suggesting? That proposition is absolutely ludicrous.

To address the issue of balanced budget legislation, very simply, once the budget is balanced, which we can't thank you for, or you, from then on members of the executive council will suffer a penalty if they do not behave responsibly in spending taxpayers' money and balancing the budget from one year to the next. If you believe so strongly in it, why didn't you introduce that when you were in government from 1985 to 1990?

The Speaker: New question, leader of the third party.

Mr Howard Hampton (Rainy River): My question is for the Deputy Premier. Yesterday, in her news conference about the Al McLean sexual harassment scandal, Sandi Thompson recounted how she had to endure hounding by private investigators and also had to endure the aggressive campaign to portray her as untruthful. Your members on the Board of Internal Economy, in this package to hush up the Al McLean scandal, voted to pay Mr McLean's legal costs. What did you include under the category "legal costs"? Are the taxpayers of Ontario in fact paying for Al McLean's private investigators to go around and spy on Sandi Thompson?

Hon Mr Eves: I have no idea. He can ask any member of the Board of Internal Economy, including his own member.

Mr Hampton: Deputy Premier, you're supposed to be in charge of the books. You're supposed to be in charge of your government members. Maybe you should ask your colleagues on the Board of Internal Economy, one who sits behind you and two seats over, one who sits over here, one who's the government House leader, maybe you should ask them what was included under the category "legal costs."

I know it's wrong to ask taxpayers to pay this money. It is especially wrong to ask taxpayers to pay for private investigators who go around spying on Sandi Thompson and trying to discredit her. What's your opinion, Deputy Premier?

Hon Mr Eves: I don't know what the members of the Board of Internal Economy voted on. I'm not a member of the board. He can turn around and ask one behind him if he wants to know what they voted on and what's included and what isn't included. But to suggest that any member of the government is responsible for the budget of the Legislative Assembly of Ontario, which is about \$100 million a year, is totally ridiculous and ludicrous. He's been in this place long enough to know better.

The Speaker: Final supplementary.

Mrs Marion Boyd (London Centre): Minister, I'm very happy to tell you, as a member of the Board of Internal Economy —

Interjections.

The Speaker: Order. I need some order, please. I can't hear the question.

Mr Sean G. Conway (Renfrew North): There's got to be a lot more to this story.

Interjection.

The Speaker: Member for Renfrew North and Minister of Municipal Affairs and Housing, both of you come to order.

Mrs Boyd: Minister, I'm happy to tell you. I was at the Board of Internal Economy. We were never given a breakdown of Mr McLean's legal fees at all. We were never given any opportunity to know what the disbursements were for. At no time were we told that the costs incurred by Mr McLean included the payment for a private eye to spy on Ms Thompson. I don't know whether it would have made any difference to your government members in how they voted had they known that, but I think the people of Ontario are shocked to think that they are now paying for an undercover operation to try and attack the credibility of a private person in a private lawsuit. They ought to be incensed by that.

Minister, our question of you is, will you get to the bottom of this? Will you be sure that your government launches an investigation to determine whether or not the taxpayers of Ontario have paid for a private eye to spy on a private citizen?

1420

Hon Ernie L. Eves: I say very directly that I too would be very surprised if indeed people decided to pay for a private investigator. But I do have a question. I would like to know why the voting members of the Board of Internal Economy didn't ask that very question before they voted.

Interjections.

The Speaker: New question, third party.

Mrs Boyd: Minister of Finance and Deputy Premier, the question is, why was it not taxed? The answer is, your members on the Board of Internal Economy wouldn't even countenance that. They were in such an all-fired rush to make sure that Al McLean got his hush money that they would not even allow a taxing of the bill. I asked for that, as the members will tell you, and it was refused.

So the question is, and I ask you again, will you get to the bottom of this? It was your members, the members appointed to the Board of Internal Economy by your Premier, the members appointed to the cabinet and as a parliamentary assistant, who did this on the Board of Internal Economy against the very vigorous objections of myself, the member for Kingston and The Islands, and the Speaker. Again I ask you, will you get to the bottom of this? Will you launch an investigation to see whether taxpayers have paid for a private investigator to hound a private citizen in this province?

Hon Mr Eves: I would be pleased to say very directly to the member that I don't think anything other than reasonable legal expenses should be paid in any circumstance for any particular case of a lawsuit against the province of Ontario or a member, or an employee of the province of Ontario.

Mrs Boyd: As the Minister of Finance responsible for the expenditures of the taxpayers in this province, will you undertake to instruct that these expenditures be docketed fully and that there be a public report about what those fees included?

Hon Mr Eves: We've gone through this discussion about the Board of Internal Economy. It isn't the first time the Board of Internal Economy has paid legal costs in an inquiry or a case that came before it with respect to a wrongful dismissal claim with respect to an employee —

Interjections.

The Speaker: Order. Member for Cochrane North, member for Hamilton Centre.

Hon Mr Eves: To the honourable member, I believe what I've just said, that the reasonable legal costs should be paid if that was the decision of the Board of Internal Economy, and that's all that should be included: reasonable legal costs. Anybody who has ever been involved in any type of lawsuit knows that either party is entitled to look at the other party's proposed legal expenses, have them taxed before a master, have them determined.

The Speaker: Final supplementary.

Mr Hampton: With respect, Deputy Premier, that's not the question you were asked. We want to know, did your decision by your members on the Board of Internal Economy result in the taxpayers of Ontario having to pay for a private investigator to go around spying on Sandi Thompson, trying to discredit her in Al McLean's private sexual harassment case? That is the question.

The taxpayers shouldn't have to pay any of this, but it is particularly odious if your decisions by your members are putting taxpayers in the position where they are paying for a private investigator to spy on the complainant, Sandi Thompson, in this case. Will you now begin an accounting of Mr McLean's legal costs and make that accounting public so the people of Ontario know what you forced them to pay for?

Hon Mr Eves: To the leader of the third party, it was not my decision.

Mr David Christopherson (Hamilton Centre): You sign the cheques.

Hon Mr Eves: I do not sign the cheques. It was not my decision. I'd have writer's cramp if I signed the cheques, I say to the honourable member opposite. It is not my decision. But I would think it would be entirely appropriate for the members of the Board of Internal Economy to look into exactly what is purported to be covered and what isn't purported to be covered with respect to the expenses the honourable member refers to.

Going one step further, when he talks about \$600,000 in hush money, as he puts it, is the leader of the third party saying that Sandi Thompson and her legal fees should not have been paid? That's part of the \$600,000 you're talking about. Are you saying that the Legislative Assembly lawyers shouldn't have been paid? That's part of the \$600,000 you're talking about.

The Speaker: New question.

Mr McGuinty: I have a question to the Deputy Premier. Minister, this morning at 8:26 am on CFNY, on

the Humble and Fred morning show, a question was put to the Premier: "How is it the taxpayers are going to be stuck with the cost of defending Al McLean?"

Here's the answer: "I don't think the taxpayers should. I think the whole thing has been very badly handled and mismanaged." That's what your Premier said this morning on radio.

I'm asking you now, Deputy Premier, do you agree with the Premier that the taxpayers should not have been stuck with this bill and, furthermore, that the whole thing has been very badly handled?

Interjections.

The Speaker: Stop the clock. Hold it. Order.

Mr McGuinty: Do you agree with your Premier, who said this morning, "I don't think the taxpayers should" pay for this bill, and, "I think the whole thing has been very badly handled and mismanaged"? Do you agree with your Premier?

1430

Hon Mr Eves: If the leader of the official opposition would continue on with what the Premier said this morning and said on Focus Ontario on Saturday evening, I believe he will find that what the Premier said was that there was no policy to deal with this by the Legislative Assembly, that we don't have a policy to deal with such an issue, nor did the Board of Internal Economy have a policy set out to deal with this type of an issue, but there should be a way of dealing with it, that there's a more appropriate way perhaps of dealing with it in the future than the way it was dealt with by the Board of Internal Economy in this instance. Why didn't you couch your question in those terms?

Mr McGuinty: The government does have a very specific policy on matters of this nature; in fact yesterday in this House the Premier stood up and articulated his policy. He said we must always remember that taxpayers' money "is not our money. It's theirs. It's Ontarians'.... And indeed we have a sacred trust to handle it wisely and to handle it well." I'm asking you now, Deputy Premier, Minister of Finance, do you think that you lived up to your sacred trust to handle the taxpayers' money wisely and to handle it well when you directed that \$600,000 be delivered in connection with the Al McLean matter?

Hon Mr Eves: First of all, I did not direct anybody to pay \$600,000. If the member has proof of that, he should bring it forward. Otherwise, he should do the class thing and withdraw that comment.

Interjection.

Hon Mr Eves: Yes, he did. He said in very specific terms, "You directed your members to pay the \$600,000." If he has proof of that, he should demonstrate it in the House, or he should do the class thing, which will be rare for you, and withdraw that ridiculous remark.

The Speaker: New question, leader of the third party.

Mr Hampton: I have a question for the Attorney General. We know from your answers last day that you knew a great deal about this. After all, as Attorney General, you were one of the co-defendants. Did you allow a settlement to go through without asking that Al McLean's so-called legal costs be taxed and accounted

for? Did you allow Mr McLean in effect to charge the taxpayers of Ontario for the cost of a private eye to go around snooping into the private life of Sandi Thompson, a private citizen in Ontario? Did you do your job? Can you tell us what you saw? Can you tell us what you OK'd?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): The Attorney General and the province were made parties to this action, and they were made parties to the action because the counsel for the plaintiff did not know how to name the Legislative Assembly as a party. The statement of defence that was put in by the Ministry of the Attorney General responded only to that aspect of the case. No legal advice was ever sought or given and no involvement by the Ministry of the Attorney General took place in this lawsuit whatsoever.

Mr Hampton: But there has been a settlement, and the settlement causes not only the suit between Mr McLean and Ms Thompson to be settled but all of the other collateral suits, meaning the suit against you as Attorney General. Did you allow a settlement to go through which has the effect that the taxpayers of Ontario are now paying for a private eye, a private snoop to go around spying on Sandi Thompson and trying to discredit a private citizen in Ontario who had the courage to come forward and raise a complaint of sexual harassment? Are you saying you allowed that go through and you didn't question it and, if you did, what are you going to do about it now?

Hon Mr Harnick: I can tell you in an unqualified way that the counsel for the Ministry of the Attorney General and the province of Ontario took no part in any settlement discussions whatsoever.

Mr Hampton: You closed your eyes.

Hon Mr Harnick: We played no role in this. I invite the leader of the third party to read the statement of defence, but there was absolutely no involvement. It was a matter that was dealt with exclusively by the Board of Internal Economy.

FIREARMS CONTROL

Mrs Helen Johns (Huron): My question is for the Solicitor General and the Minister of Correctional Services, and it addresses the issue of police resources in Ontario. Earlier this month, the federal Liberal government's Firearms Act took effect across Canada. I have spoken with individuals in my constituency and across the province who are concerned that this federal law directs precious police time and effort away from protecting our communities from criminals. The people in Huron have told me that they want police officers in the communities and not at their desks filling out paperwork.

Minister, can you clarify for this House what role Ontario's police officers will have in administering this computer scheme?

Hon Robert W. Runciman (Solicitor General and Minister of Correctional Services): I want to thank the member for Huron for asking about this important issue. I can assure the member that Ontario's police services will not be diverted from ensuring effective public safety. Like a number of other jurisdictions in Canada, Ontario is

participating in the Supreme Court challenge to C-68. We recognize that it could focus police resources away from criminal activity and towards ineffective paperwork. Our law enforcement officials have no operational role in the administration of the federal gun registry. The upkeep of this expensive, and I believe ultimately futile, registry process is the sole responsibility of the federal registrar.

Mrs Johns: Thank you, Minister, for assuring the House that public safety in Ontario will not be compromised by this misguided computer registry that's going on. I noticed media reports recently that said the federal registry process is in such disarray that people are waiting for hours on the phone to register their guns and that even public inquiries are going unanswered. Since the federal government's costly computer registry won't cut down on criminal activity one iota and doesn't seem to be working anyway, what is Ontario doing to positively protect the public safety?

Hon Mr Runciman: In their rush to look like they're doing something to combat crime in this country, it seems the federal Liberals are not only inconveniencing law-abiding Ontarians, but also punishing small business people whose customers can't wait by the phone for hours on end. I can assure you that criminals are not waiting on the phone to register their guns.

In contrast to this costly fiasco, our government recently announced a \$150-million investment into front-line policing. Through the community policing partnership program we're helping to hire 1,000 new front-line police officers. We're putting police officers on the streets, not behind desks. This is how we intend to protect our communities.

If the Liberal government in Ottawa was serious about fighting crime, they'd quit stalling and get on with substantive changes to the Young Offenders Act, if they'd follow through on criminal deportation orders and they'd stop rubber-stamping pardons for sex offenders.

1440

BOARD OF INTERNAL ECONOMY DECISION

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Deputy Premier. Given the Premier's statement this morning, given Ms Thompson's statement yesterday afternoon when she said she felt it was wrong for taxpayers to have to pick up the tab on the Al McLean matter, do you not think that the right thing to do in the circumstances, the honourable thing to do in these circumstances is for the Progressive Conservative Party of Ontario to reimburse Ontario taxpayers for the \$600,000 they've been required to pay as the result of a decision made by your government in the Al McLean matter? Is the right thing here not for the PC Party of Ontario to pick up this tab?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): Quite frankly, I think the only thing that should be at issue here, in my opinion, is the legal fees of Mr McLean. For you to suggest that the amount to be paid to Ms Thompson and her legal fees should not be paid, I

think is ridiculous. For you to suggest that the counsel for Legislative Assembly should not be paid, I think is also ridiculous.

Mr McGuinty: I can appreciate that the minister is trying to twist this and distort it. Nobody is arguing against payment being made. The issue is who should be making the payment.

Let's play the minister's game just a little bit. Let's consider the \$130,000 bill for Al McLean's lawyers. Given all of the circumstances, given the universal condemnation of this deal, do you not think that at a minimum the appropriate thing to do, the right thing to do is for the PC Party of Ontario to reimburse taxpayers for the bill paid, for the \$130,000 paid to Mr McLean's lawyers in defence of Mr McLean?

Hon Mr Eves: First of all, I would like to read into the record the Premier's entire quote from this morning's interview, which the leader of the official opposition did not read in.

"I don't think taxpayers should. I think it's one of the worst handled situations that has come across. But you do understand that this is a Legislative Assembly. It is not the government. It is at arm's length from government and the whole thing has been very badly handled and mismanaged."

Why didn't the leader of the official opposition —

Interjections.

The Speaker (Hon Chris Stockwell): Order.

Hon Margaret Marland (Minister without Portfolio [children's issues]): Are you accepting the word "distort," Mr Speaker?

The Speaker: Member for Mississauga South, could you rise and make your point.

Hon Mrs Marland: Mr Speaker, the leader of the official opposition just made the accusation and used the word "distort."

The Speaker: The member for the official opposition, I don't recall. It was very noisy and possibly I didn't hear it. If you'd like to withdraw, you can.

Interjections.

The Speaker: I didn't hear it so I can't really make him withdraw.

Mr John Gerretsen (Kingston and The Islands): On a point of order, Mr Speaker: I do not believe it is appropriate to start blaming staff for anything that happens with respect to the Legislative Assembly. There were three government members who clearly voted in favour on this issue within the Board of Internal Economy —

The Speaker: That's not a point of order. We'll go to the leader of the official opposition —

Interjection.

The Speaker: OK. New question, leader of the third party.

COMMUNITY COLLEGES

Mr Howard Hampton (Rainy River): My question is for the Minister of Education and Training. We've seen the devastating effects of your centralization of the public

school system, trying to take all of the power into Queen's Park and stripping local school boards. We've seen the chaos you've created with your so-called apprenticeship bill. I want to ask you, do you have any plans to centralize control over Ontario's community colleges, those very community colleges that are active in individual communities, that respond to the education and training needs of individual communities? Do you have any plans to centralize control over them the way you've centralized control over our public school system?

Hon David Johnson (Minister of Education and Training): No, I have no such plans. I suspect the leader of the third party is referring to some pieces of paper from an unknown source which have been brought to my attention this morning. The ministry staff have investigated this matter and assured me these papers have not emanated from within the Ministry of Education. Although I have not had the opportunity to review these papers, apparently they do allude to some centralization or some rearrangement of the college system, but I have no such plans, nor to the best of my ability have I been able to ascertain the source of these particular pieces of paper, as I guess I would describe them.

Mr Hampton: Minister, this is from the Ministry of Education and Training systems and it's called "Our Vision." What it is is a dramatic strategy to centralize control over the community colleges, just as you've done to the public schools in Ontario, in effect to have one board of directors centrally controlled by you, and to take all of the capacity of community colleges to respond to local communities away from them. It also talks in terms of voucher funding for individual students; in other words, changing our community colleges into a voucher-driven system, in effect, privatizing them.

I'm going to send you a copy of this, Minister, and I'm going to ask you say that this has nothing to do with anyone in the Ministry of Education and Training, nothing to do with anyone you've contracted with. I'm going to ask you to deny that anything in this document has anything to do with your vision for community colleges in Ontario.

Hon David Johnson: I've already indicated that we have no plans to go in such direction with the college system. I've already indicated that the ministry staff this morning have assured me that they have no knowledge of this particular document, have no idea where it came from —

Mr Tony Silipo (Dovercourt): Somebody just made it up.

Hon David Johnson: Yes, it does happen. People do make up things like this.

In addition, in terms of how this topic was introduced, I would say to the leader of the third party that this government has for the first time in over a decade taken steps to improve the elementary and secondary education system in Ontario, to ensure that there is fair funding for each and every student across Ontario, to ensure higher and better standards for elementary and secondary students through province-wide testing, through the improved curriculum —

The Speaker: Answer.

Hon David Johnson: — through the report cards. I take umbrage with the way this was introduced. The education system in Ontario will be better for the reforms this government has introduced.

1450

ROUND GOBY

Mr Marcel Beaubien (Lambton): My question is for the Minister of Natural Resources. Lake St Clair and the St Clair River have been exposed to a new intruder that threatens to disrupt the Great Lakes system just like the zebra mussel a number of years ago.

Mr Bud Wildman (Algoma): What's the name? Beaubien?

Mr Beaubien: No, not quite. I'm sure you're going to enjoy that question because as a former minister you might appreciate the question.

That intruder is named the goby, which emigrated from Europe and has taken over the territory and driven out the native fish. Minister, could you reaffirm to the people of Lambton that we are committed to stopping the proliferation of the goby in the Great Lakes system?

Mr Bill Murdoch (Grey-Owen Sound): Stop the goby.

Hon John Snobelen (Minister of Natural Resources): I thank the member for Lambton for his question. The member is quite correct in that the round goby is now present in each of the Great Lakes and is continuing to extend its range.

Like any of the many invading species currently in the Great Lakes, the goby has the potential to do considerable damage to the fragile freshwater ecosystem. The Ministry of Natural Resources has spent considerable effort monitoring and attempting to slow the spread of the goby and other exotic species from the Great Lakes to other inland waters.

The ministry, in conjunction with the Ontario Federation of Anglers and Hunters, runs an invading species hotline at 1-800-563-7711. I would encourage members of the public to call this hotline to give us information about the presence of these exotic species, these invader species, and to request information. Thousands of brochures and fact sheets and other materials are distributed through the hotline every year. Finally, additional funds have been provided from the \$10-million fish and wildlife enhancement fund to further educate the public.

This government is committed to doing what it can to protect our Great Lakes from these —

The Speaker (Hon Chris Stockwell): Supplementary.

Mr Beaubien: The opposition may find it hilarious, but I'm sure if you were to talk to some of my constituents on the St Clair River, you would find that this is a major problem. Hopefully, you're not going to get it in Algoma.

Mr Wildman: Actually, it was Murdoch who found it funny, not us.

Mr Beaubien: Minister, this problem is disrupting not only the livelihood of some of the commercial fishermen

but also some of the sports fishermen. It also needs an awful lot of taxpayers' money to track, to control and to educate the public about this problem. How are we going to deal with this problem in the future and what are we going to do to prevent this from recurring?

Hon Mr Snobelen: Again, I thank the member for Lambton for the question. It's clear that the presence of more than 30 of these species in the Great Lakes, such as the goby, the zebra mussel, the ruffe and the spiny water flea, is due to the dumping of ballast water from ocean-going vessels. Vessels fill their ballast tanks in foreign ports with water that contains these species and then dump those species and the water in the Great Lakes.

The total cost incurred in dealing with exotic species is estimated at over \$100 million. This pales in comparison to the cost to the threatened resources in Ontario which contribute \$850 million in recreational angling fees to the province of Ontario.

The federal government is responsible for the regulation of shipping and ballast water. Only by their action and commitment can we guarantee the future of our lakes and rivers. I would strongly urge that all members of this House and all members of the public contact a federal Liberal member of Parliament and urge them to take this problem seriously. Their inaction could prove deadly to the Great Lakes.

PAY EQUITY

Mrs Lyn McLeod (Fort William): My question is for the Minister of Finance. Two years ago you acted to deny pay equity funding for thousands of Ontario women. A year and a half ago, the court told you that you couldn't do that. You accepted the court decision. You did not appeal it. You committed \$140 million in your budget last spring to make the payments that were owed. Eight months later women have still not received the money you promised to pay.

This is money that is owed to community agencies like the Victorian Order of Nurses, Amethyst Women's Addiction Centre, the Association for Community Living, child care centres and non-profit homes for seniors, all of them waiting for desperately needed money.

You apparently are now saying that the cheques will be in the mail some time in the new year. Minister, no one trusts you when you say the cheques will be there soon. Why can't you hand out those cheques today?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): The answer is very simple. The latest information the government had was a survey that the previous government had done in 1994. We felt the information had to be updated, to be brought up to date. As she well knows, the years that we're talking about in terms of retroactive pay are 1995, 1996 and 1997.

As a matter of fact, the surveys now disclose that \$140 million wouldn't have been the right amount; the right amount would be \$150 million. Those surveys are now almost all in the hands of the government, and complete, and the appropriate amounts will be paid to the

appropriate agencies and individuals early in the new year.

Mrs McLeod: It's going to be almost a year from the time you committed that money until it actually reaches the women you promised it to. Your government has a rather sorry record when it comes to delivering dollars that go with your promises, whether it's emergency room funding or long-term-care funding or special education funding or indeed pay equity funding. You're able to find the money for a tax cut for the most well-to-do very quickly but you just can't get organized to get payments out to low-income women.

Mr David Christopherson (Hamilton Centre): Ernie reminds us you voted against it.

The Speaker (Hon Chris Stockwell): Member for Hamilton Centre.

Mrs McLeod: The minister is right in that the back payments are owed for 1995, 1996 and 1997, because under the previous government no payments were made until 1995. As a matter of fact, women now are owed an average of \$2,300 in back pay. You're right. They are not only owed that in back pay, but because you are a year late in making the payments, they will also be entitled to some \$90 million in funding for this past year, and by the time you get the cheques in the mail, they'll be entitled to \$90 million for 1999. The \$150 million will no longer do it; there's a total of \$320 million owing. Are you prepared to pay the whole debt?

Hon Mr Eves: First of all, there was no way to pay these individuals because they had to be identified and the agencies had to be identified. We couldn't operate on 1994 data, so we now have up-to-date data.

The member for Hamilton Centre is quite correct. He points out that the honourable member, a member of her party, voted against proxy voting in the first place, and now they want to know where the cheques are for proxy voting that they don't believe in. However, I have told you where they are. They will be forthcoming in the new year.

I say to the honourable member, her party introduced legislation in 1987 that would put off pay equity funding until 1995. The NDP introduced legislation in 1992 that would extend that payment date from 1995 to 1998. We are actually going to pay the money that you two couldn't scrape up to pay.

The Speaker: New question, member for Riverdale.

Ms Marilyn Churley (Riverdale): My question is for the finance minister. I should say to the finance minister that if we had followed the Liberal position on proxy pay equity, these women wouldn't be getting one red cent today.

Having said that, these women were promised pay equity. These are 100,000 of the lowest —

Interjection.

Ms Churley: Yes, another Liberal flip-flop here; happy to see it today, another one.

Minister, let me say to you today that I'm glad they're onside and I'm glad you are promising these 100,000 of the lowest-paid women in our society, the women who

look after our kids and our elderly people, that you are going to pay out this money.

But it's not good enough. We've heard minister after minister in this government say, "The cheque is in the mail." We'd like to see the Premier deliver the cheques personally. We want a guarantee from you today that the money owed not just for back pay but in the coming years will be fully paid out before the new year. There's no excuse not to act any more. Pay it out today.

1500

Hon Mr Eves: First of all, I think I explained in the previous question why the money could not be paid out: because we had 1994 data and they weren't up to date. It had to be brought up to date so the appropriate individuals and the appropriate agencies would get the appropriate amount. That process will be complete by the end of this calendar year and early next year they will get the money that is owed to them.

Mr Howard Hampton (Rainy River): Deputy Premier, there are some strange contrasts here. It was very easy, very quick for you to find the money for Al McLean, \$600,000, with no accounting required, and still you don't want to have an accounting. It was very easy for you to find for Andersen Consulting millions of dollars without them even having to put in receipts. It's very easy for you to find \$50 million for a partisan propaganda campaign, again with very little accounting as to what's going on here except that it's supposed to help your partisan political positioning.

It's been a year. You could have paid the \$140 million and then done the surveys. What has taken so long? What has taken so long for you to put the money —

The Speaker: Thank you. Minister.

Hon Mr Eves: The simple answer is, you couldn't pay it to people because you had to identify who it was you were going to pay it to.

The leader of the third party was a member of a government that in 1992 and 1993 passed a law saying, "We're not going to bring in proxy pay equity in 1995, as the previous government promised to do eight years before that." He voted for delaying it until 1998. How could he stand here and say, "Why didn't you pay it?" Why didn't you pay it in 1993, 1994 and 1995?

HERITAGE CONSERVATION

Mr Doug Galt (Northumberland): My question is addressed to the Minister of Citizenship, Culture and Recreation. Last Friday you visited Port Hope to assist with the dedication of Walton Street as a heritage conservation district, indeed a very historic event. It was great for you to see Port Hope, what it has to offer, its charming main street, the busy shops and businesses and also the restored Capitol Theatre. Could you tell the House what the government is doing to ensure that Ontario towns such as Port Hope have the opportunity to showcase their heritage?

Hon Isabel Bassett (Minister of Citizenship, Culture and Recreation): I thank the member for Northumberland for his question. Certainly heritage plays

a very important role in community development right across this province. It helps attract tourists, it creates jobs and it also develops volunteerism in a very big way. That certainly was the case that I saw at Port Hope when I visited the member for Northumberland for the opening and the dedication ceremony of the Walton heritage area, which was very impressive.

There are more than 50 heritage conservation districts in Ontario, including the Walton heritage area. I want to say that this government supports hundreds and hundreds of community museums, provincial heritage organizations and local historical societies. We also administer the cultural strategic development fund —

Mr John Gerretsen (Kingston and The Islands): It is not enough.

Hon Ms Bassett: — as the member for Kingston obviously knows as he's shouting across. He wants me to point out how helpful that program is to all the communities right across the province.

PETITIONS

SCHOOL CLOSURES

Mr David Caplan (Oriole): I have a petition signed by over 1,500 people and it reads:

"To the Legislative Assembly of Ontario:

"Whereas Mike Harris is cutting the heart out of many communities by forcing boards of education to close hundreds of neighbourhood and community schools across Ontario; and

"Whereas this massive number of school closings all at once will displace many children, put others on longer bus routes and close child care facilities; and

"Whereas Mike Harris promised in 1995 not to cut classroom spending, but has already cut \$1 billion from our schools and has instituted a funding model that does not work for the Toronto District School Board, resulting in the need to close schools; and

"Whereas Mike Harris is pitting parent against parent and community against community in the fight to save local schools; and

"Whereas parents in Romney, Toronto, Ottawa, Stratford, Hamilton-Wentworth and many other communities are calling on the government to prevent the closing so many of their schools; and

"Whereas the closure of a school should be based on local decision-making and student population, with enough time to consider all options, not complicated formulas imposed by the province and aimed at quickly reducing education funding; and

"Whereas all of these actions by the provincial government will undermine the quality of public education;

"We, the undersigned, petition the Legislature to call on Mike Harris to stop his headlong rush to close local schools."

I agree wholeheartedly with this petition and I will affix my signature to it.

Mr Rosario Marchese (Fort York): I've got a petition here signed by 300 or 400 people, addressed to the Legislative Assembly of Ontario. It reads:

"Whereas we, the parents and community of St Francis of Assisi school in Toronto, are convinced that our local community schools are essential to the health of our community;

"We, the parents and community of St Francis of Assisi school, request that the Legislative Assembly of Ontario act as quickly as possible to keep St Francis of Assisi school open and to act now to amend the funding formula in Bill 160 to allow our school to remain open."

I affix my name to this petition.

REMEMBRANCE DAY

Mr Joseph N. Tascona (Simcoe Centre): I have a petition to the Parliament of Ontario and it reads:

"Whereas it is important to honour the courageous memory and sacrifices of Canada's war dead and of our veterans who fought in defence of our national rights and freedoms;

"Whereas there is a need for succeeding generations of young, school-age Canadians to learn more about the true meaning of Remembrance Day;

"Whereas Ontario veterans' associations have created excellent educational materials for use in Ontario schools on the meaning and significance of Remembrance Day;

"Whereas a special Remembrance Day curriculum for all grades in Ontario's education system, developed on the basis of the programs by the Ontario veterans' associations and involving their direct participation, would increase awareness of and appreciation for Canada's war-time sacrifices in the hearts and minds of all Ontario citizens;

"Therefore we, the undersigned, petition the Parliament of Ontario as follows:

"That the provincial Ministry of Education and Training ensure that a suitable Remembrance Day learning unit be included in the curriculum of all grades of Ontario's education system."

I have hundreds of signatures and I affix my signature in support thereof.

ELECTION CALL

Mr Pat Hoy (Essex-Kent): "To the Legislative Assembly:

"Whereas the current provincial government under Mike Harris has destroyed labour relations, gutted the WCB, caused rampant dependence on gambling, has contributed to mass homelessness and poverty while eroding our health care, educational and municipal institutions,

"We, the people of Chatham-Kent, are demanding that an election be called now, before the province is destroyed morally, ethically and financially."

This is signed by a number of residents from Tilbury, Blenheim and Chatham, and I affix my name to it.

STEEL INDUSTRY

Mr David Christopherson (Hamilton Centre): I have a petition to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Asian and Russian economic crises have contributed to a flood of steel imports into Canada at record-low prices; and

"Whereas the value of steel imported from Russia increased by 50% in the first half of 1998 over the first half of 1997; imports from Japan increased by 57%; and imports from Korea increased by over 500% in the first eight months of 1998 alone; and

"Whereas prices for almost every primary steel product have dropped by as much as 25% since the beginning of 1998; and

"Whereas the low-price imported steel threatens the viability of every steel producer in Canada," particularly in Hamilton and Sault Ste Marie; "and

"Whereas the potential impact on our community and its families of the growing steel imports crisis is devastating, threatening thousands of jobs directly and indirectly;

"Therefore be it resolved that we, the undersigned, call on the Legislative Assembly of Ontario to urge the Canadian government to apply Canadian trade law quickly and effectively against this blatantly unfair competition, and further, to consider and explore any other extraordinary measure possibly available to Canada under its various trade agreements to deal with this unacceptable threat to our community's future."

I add my name to the Hamiltonians' who have signed it.

FAMILIES

Mr Bill Murdoch (Grey-Owen Sound): I have a petition to the Legislative Assembly.

"Whereas we the undersigned, as citizens and members of the Canadian family, hold the following statements to be true:

"The family is an institution ordained by God and rooted in human nature that exists to satisfy the longings of the human heart to give and receive love and to provide a safe and secure environment in which to nurture, teach and love the children; and

"Whereas the family is society's fundamental social unit, sharing a home that serves as the centre for social, education, economic and spiritual life;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That parents bear the ultimate responsibility for all aspects of their children's well-being. Any efforts which would undermine the responsibility are detrimental to the health of the family and therefore to society, and the family is the cradle of life and therefore responsible for the defence of life in all its dimensions."

This has been signed by many people from all over Ontario, by former MPP Bob McKessock, and I submit it to the assembly.

1510

PROSTATE CANCER

Mr John Gerretsen (Kingston and The Islands): I have a petition which is addressed to the Legislative Assembly of Ontario. It says:

"Whereas prostate cancer is the fourth-leading cause of fatal cancer in Ontario in 1996; and

"Whereas prostate cancer is the second-leading cause of fatal cancer for males; and

"Whereas early detection is one of the best tools for being victorious in our battle against cancer; and

"Whereas the early detection blood test known as PSA, which is prostate-specific antigen, is one of the most effective tests at diagnosing early prostate cancer;

"Therefore be it resolved that we, the undersigned, petition the Ontario Legislature to encourage the Ministry of Health to have this test added to the list of services covered by OHIP and that this be done immediately in order for us to save lives and to beat prostate cancer."

I have signed this petition, and I'm handing it to Maggie Pearson, one of our pages, from Peterborough.

PROTECTION FOR HEALTH CARE WORKERS

Mrs Helen Johns (Huron): "Whereas nurses in Ontario are often influenced to participate in practices which directly contravene their deeply held ethical beliefs;

"Whereas pharmacists in Ontario are often pressured to dispense or to sell chemicals or devices contrary to their moral or religious beliefs;

"Whereas public health workers in Ontario are expected to assist in providing controversial services and promoting controversial materials against their consciences;

"Whereas physicians in Ontario often experience pressure to give referrals for medications, treatments or other procedures which they believe to be gravely immoral;

"Whereas competent health care workers and students in various health care disciplines in Ontario have been denied training, employment, continued employment and advancement in their intended fields and suffered other forms of unjust discrimination because of the dictates of their consciences; and

"Whereas the health care workers experiencing such unjust discrimination have at present no practical and accessible legal means to protect themselves;

"We, the undersigned, urge the government of Ontario to enact legislation explicitly recognizing the freedom of conscience of health care workers, prohibiting coercion of and unjust discrimination against health care workers because of their refusal to participate in matters contrary to the dictates of their consciences and establishing penalties for such coercion and unjust discrimination."

CHILD CARE CENTRES

Mrs Sandra Pupatello (Windsor-Sandwich): This is a petition to the Legislative Assembly of Ontario.

"Whereas providing daycare spaces is critical for the families in Toronto that need access to them; and

"Whereas the well-being of children should not be sacrificed to tax cuts; and

"Whereas the provincial government has significantly cut the budgets for the Toronto school boards; and

"Whereas under the provincial government's ill-conceived Bill 160 there is no flexibility for boards to make up for the cuts; and

"Whereas daycare spaces in schools are now threatened by these cuts with the prospect of full-cost recovery arrangements with daycares and the threat of school closures;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly to repeal Bill 160 immediately, and further be it resolved that the Legislative Assembly of Ontario instruct the Minister of Education and Training to restore meaningful and flexible funding to the Toronto school boards to ensure that they are able to continue to accommodate our community daycares;

"Further be it resolved that the Honourable Dave Johnson, Minister of Education and Training, takes responsibility for his government's funding cuts rather than passing the buck to "local" school boards who have no control over provincial government spending cuts."

I am pleased to sign this petition and hand it to Matt — it sounds like it's page day — from Oakville.

HIGHWAY 407

Mr Jerry J. Ouellette (Oshawa): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Durham region is one of the most rapidly growing areas in the province of Ontario with increasing commercial and private transportation needs and is connected to the greater Toronto area with a single major transportation link; and

"Whereas the transportation and economic needs of the region of Durham are underserved by the current transportation links to central Ontario; and

"Whereas Highway 407 east has been completed up to McCowan Road; and

"Whereas the extension of Highway 407 east through the Durham region would alleviate traffic congestion in the region and promote economic growth;

"We, the undersigned, petition the Legislative Assembly of Ontario to have Highway 407 extended east through the region of Durham."

I affix my signature in agreement.

SCHOOL CLOSURES

Mr Richard Patten (Ottawa Centre): I have about 1,200 names affixed to this petition to the Parliament of Ontario.

"Whereas, according to the Ministry of Education, four schools of the Ottawa-Carleton Catholic school board (St Andrew's, St Joseph's, St Pat's and Queen of the Angels), which provide day and evening non-credit English-as-a-second-language programs for over 2,000 adult learners, have been identified as empty or surplus;

"Whereas current policy of the Ministry of Education requires that the Ottawa-Carleton Catholic school board divest itself of surplus space in order to receive capital funding for new schools;

"We, the undersigned, petition the Parliament of Ontario as follows:

"We ask that Parliament require the Ministry of Education and Training to grant the Ottawa-Carleton Catholic school board an exemption which recognizes that the adult day schools of the OCCSB, which offer non-credit ESL for adult learners, are indeed occupied and indeed are used;

"We ask that, in accordance with this recognition, Parliament require the Ministry of Education to permit the board to remove the pupil places represented by the four above-named adult schools from its inventory of surplus space. The intent is to ensure that the school board is able to continue operating the adult schools without losing possible funding for new elementary or secondary schools."

I affix my signature to this as well.

PORNOGRAPHY

Mrs Barbara Fisher (Bruce): I have a petition from Mildmay and the area thereabouts in the riding of Bruce addressed to the Legislative Assembly of Ontario.

"Whereas children are exposed to pornography in variety stores and video rental outlets;

"Whereas bylaws vary from city to city and have failed to protect minors from unwanted exposure to pornography;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To enact legislation which will create uniform standards in Ontario to prevent minors from being exposed to pornography in retail establishments; prevent minors from entering establishments which rent or sell pornography; and restrict the location of such establishments to non-residential areas."

I affix my name to the top.

HOTEL DIEU HOSPITAL

Mr James J. Bradley (St Catharines): My petition reads as follows:

"Since the Hotel Dieu Hospital has played and continues to play a vital role in the delivery of health care services in St Catharines and the Niagara region;

"Since Hotel Dieu has modified its role over the years as part of a rationalization of medical services in St Catharines and has assumed the position of a regional health care facility in such areas as kidney dialysis and oncology;

"Since the Niagara region is experiencing underfunding in the health care field and requires more medical services and not fewer services;

"Since Niagara residents are required at present to travel outside of the Niagara region to receive many specialized services that could be provided in city hospitals and thereby not require local patients to make difficult and inconvenient trips down our highways to other centres;

"Since the population of the Niagara region is older than that in most areas of the province and more elderly people tend to require more medical services;

"We, the undersigned, request the government of Ontario to keep the election commitment of Premier Mike Harris not to close hospitals in our province, and we call upon the Premier to reject any recommendation to close the Hotel Dieu Hospital in St Catharines."

I affix my signature as I'm in complete agreement.

PHYSIOTHERAPY SERVICES

Mr Tim Hudak (Niagara South): I have a petition from patients and doctors for a physiotherapy clinic in Fort Erie, Ontario. It reads as follows:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We, the citizens of Fort Erie, require the Fort Erie Physiotherapy and Rehabilitation Centre to be able to provide physiotherapy under OHIP billings as we have no other means of getting proper care in a well-equipped facility;

"Our hospital has three hours a day for outpatient physiotherapy, whereas Fort Erie Physiotherapy has 12 hours a day for outpatient treatment. Our community is already underserved with physicians. We do not wish to be underserved with physiotherapy as well.

"We, as taxpayers, wish for you, the government, to listen to our pleas and provide OHIP coverage for us as a facility."

I sign my signature in support of the petition.

Mr Bill Murdoch (Grey-Owen Sound): On a point of order, Madam Speaker: I presented a petition to the clerks in the last round of petitions and they said they couldn't accept it. I was wondering if you could rule on this. I'll send it forward to you, and you could make a ruling later on as to whether or not they should accept it.

The Acting Speaker (Ms Marilyn Churley): OK. Yes, thank you. If you send it via a page to me, I'll take a look at it and rule later.

1520

ORDERS OF THE DAY

TIME ALLOCATION

Hon Margaret Marland (Minister without Portfolio [children's issues]): I move that, pursuant to standing order 46 and notwithstanding any other standing order or

special order of the House relating to Bill 82, An Act to strengthen environmental protection and enforcement, when Bill 82 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time the bill shall be ordered for third reading;

That the order for third reading may then immediately be called;

That one hour shall be allocated to the third reading stage of the bill after which time the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment;

That no deferral of the second and third reading votes pursuant to standing order 28(h) shall be permitted; and

That, in the case of any division relating to any proceeding on the bill, the division bells shall be limited to five minutes.

Madam Speaker, I will be sharing my time with the member for Northumberland and the member for Simcoe Centre, and so at this time I will pass the floor to the member for Northumberland.

Mr Doug Galt (Northumberland): I certainly welcome this opportunity to add to the discussion that has already taken place with respect to the Environmental Statute Law Amendment Act. Certainly many good points have been made from all sides of this Legislature, and I think we're having a good, constructive discussion.

Mr Len Wood (Cochrane North): On a point of order, Madam Speaker: I know he wants to get into his debate on this, but would you check to see if we have a quorum in this place, please.

The Acting Speaker (Ms Marilyn Churley): Clerk, could you check and see if there's a quorum, please.

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: Member for Northumberland.

Mr Galt: I think we're having a good, constructive discussion that will yield a strong piece of legislation that will ensure a better protected environment in Ontario.

Mr David Christopherson (Hamilton Centre): You are shutting it down.

Mr Galt: I think it's interesting that the member for Hamilton Centre is commenting about shutting it down when in fact, through the debate so far on this particular bill, there has not been one single good objection to the content of the bill. There has been support from all three parties in this House. I think it's wise to get on and have this bill approved prior to the Christmas break.

Mr Christopherson: You just can't help yourself, right? You hate democracy so much.

The Acting Speaker: Member for Hamilton Centre, come to order, please.

Mr Galt: No doubt we are dealing with an issue that is close to the hearts of everyone in this Legislature and of all Ontarians. The need for a clean environment and for a

clean and healthy community is almost universally recognized today. I say "almost" because that's the reason why we have to debate a bill such as the Environmental Statute Law Amendment Act.

Despite all the reasons for meeting environmental responsibilities, including meeting the requirements for provincial legislation, we haven't been able to provide enough reasons not to break environmental laws. We have strong laws protecting the environment, but the provisions aren't there to deter all polluters. The Environmental Statute Law Amendment Act is intended to give us those provisions to ensure the maximum compliance with and enforcement of the laws protecting our environment.

I want to say to my colleagues today that I believe it is highly desirable that this piece of legislation move to third reading during this session. I'm sure the members on the opposite side of the House would agree with that. From all sides of this Legislature, we're hearing general agreement on the provisions we are proposing through the Environmental Statute Law Amendment Act. As I said a moment ago, good progress has been made, and I think we must build on this progress and push ahead with this act. The sooner we can have this act in place and its provisions in effect, the sooner the Minister of the Environment will have the powers necessary to ensure compliance with and the enforcement of our environmental laws.

As has been stated time and time again during this debate, we're not increasing the powers of the ministry and the courts for the sake of power alone. We're simply trying to create greater fairness for those who meet environmental laws while being tougher on those who break those environmental laws. With our proposals contained in the Environmental Statute Law Amendment Act in place, breaking environmental law will be a less attractive option. We will have a greater ability to prevent pollution offences from taking place. If they do, we'll be in a better position to catch those offenders. If convicted, environmental offenders will be subject to tougher punishment.

During the 10 years from 1985 to 1995, some \$10 million worth of fines were levied. How many of those charges have been collected? We have that \$10 million sitting on the books, unable to collect it. This bill will ensure that in the future bills and charges such as those will be collected.

I want to deal with each of three areas in more detail: preventing offences, catching offenders, and stronger penalties.

Prevention is a very important concept for the Ministry of the Environment. Pollution prevention informs everything we do. When it comes to, for example, the regulations that protect Ontario waterways, the emphasis is squarely on preventing the creation of pollutants rather than dealing with them after they have been released.

With waste management, the three Rs hierarchy puts reduction first. We reduce the amount of waste we generate, and then we deal with it through reuse and recycling. Each of these, of course, is a pollution prevention measure. They prevent materials from being sent to landfill by putting them to productive use.

Strong enforcement also has a strong prevention element. A greater chance of getting caught, as well as stronger penalties and more jail terms for those who are caught and convicted, is aimed at deterring future offences. This is a good form of prevention, when it is working. I'll discuss the deterrent effects of greater fines and a longer list of jailable offences in just a few moments.

First, I'll deal with the provisions that would enable ministry staff to stop offences from occurring, to stop ongoing offences. These provisions generally relate to the concept of taking the tools of the trade away from those involved in offences against the environment.

How do we take away these tools of the trade? One good way is through the ability to seize the plates and permits of vehicles suspected of being involved in illegal waste activities. If we seize the plate of an illegal waste hauler, we've stopped the activity. In the case of such hauling, we would require that the load of waste be transferred to a licensed hauler before returning the plates and/or permits to the original vehicle.

1530

Presently, we do have some powers in this regard, but they're just too restricting. Seizure can only be done in cases involving liquid hazardous waste or cases where continued operations could lead to adverse environmental effects. As has been commented upon earlier in the debates, environmental effects are difficult to predict and it is difficult to say which illegal acts will harm the environment and which won't.

The seizure authority is potentially a very powerful tool in dealing with dangerous and repetitive environmental offenders. A primary objective of the authority to seize, along with other proposed amendments contained in the Environmental Statute Law Amendment Act, is the ability to seize the tools of the trade of dangerous or habitual offenders.

The ability to seize vehicles engaged in the commission of an offence would also be of great help in certain circumstances. If you're dealing with a habitual environmental offender, you're talking about someone with a high possibility of reoffending. If such an offender is forced to pay all penalties before getting a vehicle back, that means a tool of the trade, in this case the environmental offences trade, is out of action and not available for more illegal activity.

As an example of the complementarity of the approaches we're suggesting, the tougher penalties following from the Environmental Statute Law Amendment Act would act as a deterrent to the offender, who would be less likely to reoffend upon getting the vehicle back. The forfeiture provisions of the Environmental Statute Law Amendment Act would also increase the likelihood of collecting upon the fines. Again, it's a case of closing in on offenders from every direction.

In general, and this point has been commented on at length, there is another strong prevention aspect of all of this: prevention of illegal operators from staying in the business. As my colleagues commented upon earlier, those

who don't meet the province's environmental laws are less likely to stay in the game when they realize that life won't be as easy as it has been in the past.

The bad players are the ones who are least able to compete on an even playing field. They're like a pitcher who has relied on spitballs and hasn't honed his other pitches. If he keeps getting caught with spitters, he's at a big disadvantage, because the rest of his arsenal won't be up to the level of the other pitchers.

Of course, we're all aware that in baseball many pitchers have been getting away with these things for years. With the Environmental Statute Law Amendment Act, we'll be increasing the likelihood of catching environmental offenders. Much of the focus and impetus for the introduction of the private member's bill and the Environmental Statute Law Amendment Act have been illegal waste operations, so I will use them for examples.

One powerful tool under the Environmental Statute Law Amendment Act is a provision for the use of modern investigative aids. Right now, the ministry does not have the authority to use such techniques to help in the surveillance of suspected environmental offences.

By investigative aids, the act refers to electronic tracking devices and to tracking substances. An electronic tracking device can be planted on a vehicle suspected of being engaged in illegal waste activities. It will enable ministry staff to track where loads of waste are going and what facilities are involved.

The use of tracking substances involves the planting of a substance in a waste load to identify the load, to give it a distinctive fingerprint. It would enable ministry investigators to determine whether a load of material that leaves point A is the same as the load that arrives at point B. Tracking substances can also tell if waste has been used for an illegal purpose. Another example that I believe was used before was the fingerprinting of CFCs with dyes.

With these investigative aids, ministry staff will be in a better position to catch environmental offenders. They will have a better idea of what illegal activities have gone on and what equipment and facilities have been involved.

Surveillance is a very labour-intensive activity. The ministry must devote several officers as well as substantial resources to each and every case where we suspect that illegal waste activities are happening. I understand that it can take as many as five vehicles, and the inspectors to staff them, to conduct surveillance on just one operation.

Staff obviously can't be in more than one place at a time, with the result being a limitation on the number of surveillance operations that can be carried out at any one time. With the use of modern aids, ministry staff will be able to conduct more surveillances simultaneously. They'll be able to stay on top of more situations and catch more people involved in illegal activities.

Under the Environmental Statute Law Amendment Act, ministry staff would have to meet very high standards with regard to safeguarding personal rights before obtaining a court order to use tracking aids. They'll need to show a good reason why they believe an offence is being, or is about to be, committed. It bears repeating here that each

new or strengthened power proposed under the Environmental Statute Law Amendment Act has been developed in the strictest accordance with the requirements of the Charter of Rights.

I think the lawful operators will welcome the use of modern investigative aids because they will have the confidence of knowing that they are operating within the law and will not be concerned that they will be the target of an investigation.

Another way of ensuring that more polluters get caught is through the provisions of the Environmental Statute Law Amendment Act which expand upon existing provisions for prohibiting illegal waste deposits. These provisions would include the ability to charge individuals who facilitate, arrange for or broker illegal dumping, and not just the person physically doing the deed.

This is a very important point. Right now, many of the behind-the-scenes types are carrying on with the planning and coordinating of illegal activities, comfortable in the knowledge that there is not much chance they are going to be caught. These are the masterminds, the brokers, the people who come up with the plans but don't actually dirty their hands doing the dirty deed. They're the most insidious types. They become increasingly arrogant and full of their own power because they've been able to, by and large, escape arrest. The Environmental Statute Law Amendment Act will send these people a message that their days of easy operating are coming to a close.

With the Environmental Statute Law Amendment Act we would also have a much greater chance of prosecuting the owners of companies involved in illegal transportation of waste. The situation we face now is that we can only charge the driver and not the principals of the company. Again, it's this idea that we can only charge the person actually committing the crime that must change. This is an unfortunate situation because the people actually committing the crimes are often much lower in the criminal food chain, so to speak. They're following orders of people who in reality are the most culpable for these offences. All too often they're just the chumps who can be replaced.

Again, the point needs to be made that the rights of all are provided for under the Environmental Statute Law Amendment Act. Anyone charged with illegal deposition of waste or illegal transportation of waste or any other environmental offence has recourse to all the normal procedural safeguards with which the judicial process protects and ensures the right to a fair trial.

1540

I just want to touch upon the deterrent effects of stronger penalties before turning over the floor.

By now it has become apparent that some polluters see fines as just another cost of doing business. Their profits are high enough that they can take this view. In some cases, even when you add in whatever cleanup offences we actually pin on the polluter, they still come out ahead. I think everyone here agrees that it would be desirable to see higher fines for those who aren't deterred by the current fine structure.

The more callous environmental offenders have also realized that jail wasn't a realistic possibility in the vast majority of cases. The Environmental Statute Law Amendment Act is proposing to create a much longer list of jailable offences. If there's one thing that will really deter polluters, it's a real possibility of prison time.

I'm going to end my remarks now to give some time to other members to talk about this bill. I want to close by urging all my colleagues to support the Environmental Statute Law Amendment Act and to do everything they can to see that it gets third reading during this session.

Mr Joseph N. Tascona (Simcoe Centre): I'm very pleased to join the debate with respect to Bill 82, the Environmental Statute Law Amendment Act. I'd like to point out that what we're talking about here is making sure that the fundamentals with respect to environmental protection are in place. I think we have very good environmental protection laws, but what was lacking were the compliance and enforcement mechanisms, to make sure the teeth necessary to make polluters comply are in fact there.

For a very simple reason, as many have already said, the Environmental Statute Law Amendment Act is an excellent piece of legislation that will help a strong environmental protection system become stronger. That's the goal, and I believe it's shared by all three parties, in terms of the passage of this environmental statute law. It's a very large step forward, when you analyze the piece of legislation we're dealing with in terms of the measures that can be taken to ensure compliance. It's a very large step forward in the evolution of environmental protection in Ontario.

This government has taken a priority with respect to the environment. I give an example: The ongoing Lands for Life process is the most inclusive discussion on the future of crown lands in the history of the province. The work of the three Lands for Life round tables included 95 public meetings and involved over 15,000 people. Thousands more took part by sending letters, visiting the ministry's Web site and discussing the issue with the MNR officials at ministry offices. After more than 16 months of consultation, we've now entered the next stage of the process: consideration of the feedback received. At the same time, all interested parties are still welcome to continue to forward their thoughts to us.

No other government has done anything with respect to this Lands for Life process. We're the first government that has taken a position with respect to Lands for Life. There has been extensive consultation and there will continue to be. I'm very proud that at least this government, aside from other governments in this province, has taken a step with respect to the protection of our environment.

Another significant priority of this government has been health care. It's very interesting to note that Prime Minister Chrétien is quoted in the papers today as saying he will only comply with Premier Mike Harris's request for full restoration of the \$6 billion in federal cuts to the health and social transfers when we restore all of our so-called cuts to health and social services. The fact of the

matter is we haven't cut one cent from health care in this province. We have actually increased health care spending from \$17.4 billion to \$19 billion. The only cuts to health care and social services in this province have been from the federal government, which continues to not want to support our health care and social transfer services.

I'd say to the Prime Minister that his request has been fulfilled. Over the last three years, not only have we boosted health spending in the province by over \$1.5 billion, but we've also fully offset the over \$2 billion in federal Liberal cuts to transfer payments. That's what I would call a tremendous initiative that has been taken by this province with respect to the very serious cuts that have been put forth by the federal Liberal government in health and social transfer payments. For the federal government to say, "When you restore your cuts," we haven't cut anything, so I would say to the Prime Minister, you put forth the money right now because you owe it to the citizens of this province.

In terms of dealing with the Environmental Protection Act amendments, this province has long enjoyed a very high standard of environmental protection. We've had, and continue to have, strong laws protecting our air, water and land. Unfortunately, as has been realized by all the parties, various weaknesses have entered into this strong environmental protection. These weaknesses have compromised the province's ability to ensure compliance with its environmental laws and to enforce those laws. That's what we're dealing with here: compliance and enforcement.

The problem has also been compounded by the fact that since 1985, convicted polluters have gotten away with \$10 million in unpaid fines. It's all well and good for members of the previous governments to talk about the fines levied while they were in office, but the simple fact is they often weren't collected. The \$10 million in uncollected fines is an offence both against the environment and our justice system. Obviously more effective mechanisms are needed. It's the government's intention, through this piece of legislation, to deliver those by ensuring our environment is protected through the most effective and efficient means possible. This legislation will enable staff to administer a fairer, more consistent and efficient system on behalf of all Ontarians. That's what I'm going to talk about in terms of the compliance and enforcement.

As a government we've done much of the work that needs to be done to address the problems with the environmental protection system. We've clarified, in some cases, and are still clarifying, the rules and regulations protecting the environment. In terms of fundamentals, our statutes are sound. There are places where work needs to be done, and that is being done.

I'd like to focus on some of the areas where we're taking steps. Dr Galt has already spoken about how the act will give us greater ability to prevent offences, to catch offenders and to punish those convicted of contravening our environmental laws through investigative processes, but I want to continue on this with some thoughts about the new powers and authorities provided under the act.

They're needed because in the past the courts and the ministry haven't always been able to make life as tough on polluters as they would have liked. When it came time for prosecution, courts applied appropriate penalties, but it seemed that these penalties often weren't enough to deter the polluters. Then there's the problem of collectability. It's true that some environmental offenders have received stiff fines, but these fines haven't always been paid, as I mentioned. Since 1985 there's \$10 million in unpaid fines.

The courts have continued to work within the framework of the penalties they have the authority to impose. The ministry and the Ontario government believe these penalties haven't been strong enough and that too many people have gotten away without paying a fine. Even when the fines are paid, there are many cases where the monetary effect has very little impact on the polluter's ability to operate and in terms of deterrence.

In putting this in the past tense, the situation continues and will continue until this Environmental Statute Law Amendment Act is passed. If the act is passed, the ministry and the courts would have the tools they need to ensure compliance and justice for convicted environmental offenders. These tools include some existing powers made more workable and comprehensive.

In the former category, it's the ability to seize plates and permits of vehicles involved in environmental offences. Currently staff have the ability to do such seizures, but it's limited to offences involving hazardous waste and where the operation will cause an adverse effect. There are certainly many other offences that could be stopped by plate and permit seizures. For example, if we have reason to believe a vehicle is involved in carrying used tires to an illegal site, it would be desirable to be able to seize the plates and/or permit for that vehicle. This isn't allowed under the current power stipulated in the legislation, but would be a powerful tool in our efforts to stop polluting activities.

Another powerful seizure tool would be the ability for ministry officers to seek court orders to seize and forfeit vehicles and equipment used in environmental offences.

The environmental amendment act also contains provision for the forfeiture of seized equipment to the crown. As has been remarked on before on numerous occasions during the debate on this act, taking away the tools of the trade is a very important power. It makes it that much more difficult for polluters to operate, but it makes it easier for environmental officers to basically enforce the act and ensure compliance.

1550

Restitution orders are an important new authority for the courts that we're proposing through the Environmental Statute Law Amendment Act. Currently there are no such provisions and the only course of action for innocent parties to get repaid for cleanup costs is through suing the offender. This is convoluted, costly and frankly unfair to innocent parties.

Fairness is a big part of the Environmental Statute Law Amendment Act. We want to be fair to those who abide by the rules and tough on those who don't think it's

worthwhile to meet their responsibilities to the environment and to society. We're not proposing carte blanche to get tough on polluters. We're proposing new and often stronger authority for the courts and the ministry, but here too we will be fair. We have taken the precaution to ensure that, by strengthening our abilities to ensure compliance with the law and to enforce it, we are not trampling on anybody's rights, including suspected polluters. They have the rights of fairness too, and we will respect those rights.

For example, if we suspect someone is taking waste and putting it where they shouldn't be, we will be able to use modern investigative aids, but only after we have satisfied the courts that we have reasonable grounds for suspicion. The onus is on us to show why we believe something is happening or is about to happen. But if we do get a court order, using the investigative aids that would be allowed under this act, and do find evidence of wrongdoing, we will be very tough indeed. In fact we will have the evidence to move forward.

The same follows for all provisions of the act. We will apply them fairly, but we will have the authority to get tough when we have reason to do so and the courts will also have greater authority to hand out tougher fines as well as prison sentences for a bigger list of offences.

I see that I still have some time so I'd like to spend a few moments discussing the provision of the Environmental Statute Law Amendment Act giving the ministry the authority to make use of administrative monetary penalties. Currently only the courts can impose financial penalties on polluters. With this act, we are proposing to give directors of the Ministry of the Environment the ability to impose financial penalties to enforce compliance with provincial regulations and the requirements set out in ministry instruments such as permits, approvals and orders.

It must be emphasized here that these administrative monetary penalties are not fines and they are not a replacement for prosecution in the courts. Prosecution is still the most valuable tool in environmental cases, but we must realize that it takes time to prosecute and there have to be other measures put in place. It's an even more valuable tool if the act involving higher fines and a longer list of jailable offences is acted upon.

Another thing I want to be very clear about here is that we are not creating any new offences. The same things that are illegal today with respect to Ontario's environment will still be illegal with respect to implementation of the provisions of this act. We'll simply be in a better position to deal with the illegal activities through ensuring compliance and being able to take enforcement mechanisms. Administrative monetary penalties are one of the tools we'll be able to use to better ensure compliance with existing rules, and that's only fair.

In closing —

Mr Len Wood: On a point of order, Speaker: It's an interesting debate we are having, but I don't believe we have a quorum in this place. Would you check to see if we have a quorum, please?

The Acting Speaker (Mrs Marion Boyd): Clerk, would you check to see if we have a quorum.

Clerk Assistant: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: Member for Simcoe Centre, please continue.

Mr Tascona: The vast majority of Ontarians who do obey the environmental law will welcome the passage of this act. They'll see it as a reward for being responsible and for caring about the health of their environment and about the health of their fellow citizens. This is why I believe that everyone should support this act. We should reward those who meet the requirements of environmental legislation with better ways to ensure compliance and with tougher enforcement provisions for ministry staff.

I want to conclude by restating what I said at the outset. The fundamentals of the statutes protecting Ontario's environment are strong. It's time to back them up with the ability to ensure compliance and to enforce them more effectively. I call on all members of the Legislature to support this act and see that the act receives third reading during this sitting of the Legislature.

Mr Bud Wildman (Algoma): Point of order, Speaker: I've listened to the debate and it seems that members are debating Bill 82. Is it not the case that we are actually debating a time allocation motion this afternoon? I would ask that you ask members to speak to the motion.

The Acting Speaker: Thank you. The member for Algoma is correct. We are debating a time allocation motion on this bill rather than the bill itself, if members would please keep to the topic of the allocation motion.

Further debate?

Mr Bruce Crozier (Essex South): I'm pleased to stand today to speak to this resolution. I will be sharing my time with the member for St Catharines and the member for Sudbury, if that's all right with the Chair.

Interjection.

Mr Crozier: And Port Arthur, I'm told.

Mr Wildman: It's OK with us too.

The Acting Speaker: Thank you.

Mr Crozier: Well, the Christmas rush has begun. We're two days away from what at this point in time is our adjournment and, according to my count, we still have 27 or 28 bills to deal with. Under those circumstances I can understand why this government would want to shut down the debate on this particular bill, Bill 82.

The member for Northumberland said he thought it was time that we shut down debate, yet he took almost 20 minutes of the time, which is rather interesting. As well, I might point out that we are going to support this bill, but the member for Northumberland would criticize us for wanting to speak in support of it. So I can't quite understand where he's coming from.

As I've said before when I have spoken to closure motions — and this is the 33rd time, again according to my count, that this government has brought in a closure motion — I've tried to point out that when I was elected to sit in this Legislature I thought part of that responsibility

was to bring the comments from Essex South to the Ontario Legislature, yet we get less and less time to do this, notwithstanding the fact that we're in support of the bill to which this resolution applies.

When the bill is next called of course, according to this closure resolution, "the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time, the bill shall be ordered for third reading."

1600

That means, of course, as we all know, that there will be no public hearings on it. I've heard the government say in committee, just as recently as last week in the justice committee on Bill 53, that no bill is perfect. That is the reason that we have debate in the Legislature. Not every bill is perfect, by the government's own admission, which then means that perhaps some members have comments to make that apply to either their specific riding or their overall concern, and in this case, with an environmental bill.

Speaker, I beg your indulgence. I am speaking to the closure motion, because I'm not happy that we're having debate shut down the way we are. By way of explanation of why I am not happy this government is shutting down debate on this bill, I have a couple of comments to that point.

The Premier said in the *Toronto Star* on June 5, back in 1995, just prior to the election of this government, and I suppose he was referring to the Common Sense Revolution: "I don't think you'll find a cent there cut out of the environment. We were able to find \$6 billion in cuts," to government spending, that is, "without cutting the environment." Well, we all know what happened. That was then, this is now. This is why I feel we should include in our comments on this closure motion the reasons we don't like closure on this particular aspect.

Total MNR staff in 1994-95 was 5,000 people; total staff cuts to the MNR have been 2,170. While the Premier said you won't "find a cent there cut out of the environment," the Ministry of Natural Resources operating budget in 1994-95 was \$478 million and the current operating budget in 1997-98 is \$331 million. Total operating budget cut: \$147 million, or 31%. If that isn't an awful lot of cents, I don't know what is, and I don't know what the Premier now, the leader of the third party at that time, was telling the people of Ontario. I hesitate to say what his intentions were. They can draw their own conclusions from his comments.

In 1996, in the annual report to the Legislature, the Environmental Commissioner of Ontario said: "If we continue along this path, our right to a healthy environment will be jeopardized. We cannot afford to focus on short-term savings at the expense of long-term environmental health."

We all know — we've been told in this Legislature and we've been told by people outside the Legislature — that 1,800 Ontarians die prematurely each year as a result of air pollution. I have seen that myself in the area of Essex South. My hobby as a private pilot is of course recreational flying. When you take off from the airport in

the city of Windsor and fly east, because to the north, west and south we have the great United States of America, you do your recreational flying out in Essex and what used to be Kent county and beyond.

But when you return, it's an amazing sight. You can be flying on a beautiful clear day and what do you see up ahead over the Detroit River? A great yellow cloud. That's disturbing. It's no wonder that 1,800 people die in Ontario each year because of air pollution. It's disturbing to see that on a beautiful clear day, this yellow-orange, almost sulphurous cloud that hangs over the western part of Essex county and I suppose much of the city of Detroit and the Wyandot area.

There's a lot more this government could do that would be a lot better than cutting \$147 million out of the budget, if we're going to do anything about clean air. The Provincial Auditor, in his 1996 report, said, "In order to properly safeguard the ecosystem and human health, we recommend that the ministry," that being the Ministry of Environment and Energy, "update its standards for air pollutants, improve its monitoring efforts in the area of air, water and hazardous waste materials and develop a more proactive and systematic approach to protecting and managing groundwater."

On April 31, 1996, the World Wildlife Fund gave Ontario a failing F on its efforts to protect ecologically significant areas of the province. Even Alberta, the great oil province of the west, had a better record than we.

We've heard from the members across how this bill will improve the environment and will help with the environment and will make our environment better. The reason we're supporting the bill is that for all the gutting they've done of the Ministry of the Environment, for all the damage they've done to our effort to clean up our environment, this at least takes some steps forward. We don't know how many steps we've taken backwards. Only time will tell. Only the devastating results of mistreating our environment will tell in the future.

But we're supporting this bill today because it at least takes one step forward. It raises fines and imposes jail terms for polluters, but that's after the fact.

Mr Wildman: If everyone is agreeing with this, why are they moving time allocation?

Mr Crozier: Exactly, and I'll get to that.

The Acting Speaker: Order, member for Algoma.

Mr Crozier: The member for Algoma says if everybody approves of this, why are they moving time allocation? I agree. We all want to have our comments and to show our support for this meagre step forward that's being taken.

"It provides the ministry with more powers to force individuals and companies that organize illegal waste dumping to pay for the cleanup." The problem is that I suspect that of those 2,170 jobs that have been removed from the ministry, a lot were inspectors. So the law really is only going to have the teeth of the piece of paper it's written on unless proper enforcement will follow.

"Seize licence plates and permits from vehicles used to commit environmental offences": That's great, but if these

individuals have chosen to break the law, they'll simply go out and do it again in another way.

The Acting Speaker: There are some members of the Legislature who are having private conversations that are interrupting the debate that's going on. I would ask them to have those conversations outside.

Please continue, member for Essex South.

Mr Crozier: Thank you, Speaker. I'll just have to speak more loudly. I wish I had the vocal cords of a Sean Conway. Then there wouldn't be any doubt that they'd hear me. In fact, I wish I had some of Sean's recollection of history and his ability to speak to any matter.

But I go on to say that the key elements of this bill are "to secure areas and facilities to ensure evidence is protected." Again, that takes enforcement officers. That takes individuals with the authority of the legislation to go out and actually do the job.

"Use more modern investigative techniques such as tracking equipment": That's good too. I think we should use every bit of technology we can to track down, to apprehend, to charge and eventually get rid of environmental polluters. But you have to have more than just paper. You have to have the people who can enforce those laws. The bill will be useless unless these new powers are used by an adequate number of Ministry of the Environment inspectors and enforcement staff to enforce any kind of environmental regulation.

Since taking office, the Mike Harris government has cut Ministry of the Environment staff by 36% and the budget by over 42%. Particularly hard hit has been the compliance and enforcement branch, which has been cut from 97 staff to 70. That's really what this bill is all about. It's useless, it isn't worth the paper it's written on, unless there are the inspectors, the staff, the support to enforce the bill.

1610

I want to take the remaining time that I have to come back to the actual resolution itself and what this resolution does to democracy in this Legislature. Some who are less willing to spend their time and effort and money away from home might say, "If we're going to have to deal with a government like this that doesn't want to hear from the people of Ontario and therefore brings in closure motions" — and I can recall, Speaker, in the first 18 months that I was here, and you will recall this because you were part of the government, on occasion, certainly not to my recollection 33 times but on occasion, it was felt by the government of the day that it was necessary to limit debate because all that had been said had been said. But at the same time, I don't recall that it had been used in a manner which I'm coming to the conclusion is simply making the Legislature of the province of Ontario rather irrelevant.

I don't accept that, but it would be easy just to throw up our arms and go home and say: "OK, you guys have the majority. In the end you're going to do whatever you want anyway. We just won't waste our time down here." But that's what democracy, the democratic process of this place, is all about. It's not about shutting down debate; it's not about using closure motions 33 times; it's not about

coming to the end of a session when we have some 28 bills left on the agenda and wanting, I suppose, to get all of them through. I'm only assuming that if the government had felt they weren't important they wouldn't have brought them forth in the first place.

This bill, for example, was brought to us on November 23, less than a month ago, significant legislation. We agree with the government in this instance that we must do more to protect our environment. We have to deal with some pretty heady issues in here, like health care and education and social legislation, but environmental legislation is no less important. One would wonder then why it is that this late in the session, over three years into the mandate, after gutting the Ministry of the Environment, they now want to come back and say, "Oh, but we have a concern for it and we're going to make things tougher for those polluters," notwithstanding the fact that they're in all likelihood not going to be able to monitor it as well as it should be.

We have two questions before us today. One is the bill itself, that according to this resolution, after our debate is finished here, one hour will be allocated to the third reading stage and then it will be law. But you would think that a government that spends \$50 million on self-serving advertising would have done one of two things: used some of that money to make us more aware of the environmental problems we face and to better educate the public, all of us, about our concern for the environment, or used some of that \$50 million that appears on the television advertising each day and each evening of the week to put back into the environment, to put back into health care, to put back into education.

Instead there was \$180 million for a contract to an American company, \$180 million in what appears to be an open contract. Can you imagine what \$180 million would do towards making our environment a better and safer place in which to live? Can you imagine what \$180 million would do in the health care area for those 1,800 people a year that are dying in Ontario because of the bad environment?

Then more recently we have \$600,000 of taxpayers' money being squandered on a private matter between two people in order that someone in this Legislature can be protected, a matter in which we were told that the Board of Internal Economy had been told by lawyers that we shouldn't be paying, a matter in which the government members on the Board of Internal Economy voted to get rid of it, to put it under the rug.

I think I have pointed out some areas where this government could have used the money to a much greater benefit to the people of the province. I think we've pointed out in the short time that we have in this closure debate where the money could have gone towards health care and the environment, which would be better for all of us. But no, we've got a government that says they are the great managers. Well, the great managers have spent a whole bunch of money recently that we think hasn't been spent the way it should be, and we didn't get our bang for our buck.

The great managers, and they are in control of the agenda, still have 28 items left on it. That's part of the reason why we don't have the opportunity to speak out when we should. Although we support the intent and the direction of this legislation, it's another sad day when we don't have the opportunity to speak on behalf of our constituents because this government, in their wisdom and their bully way, have simply decided to shut down debate.

Mr Rick Bartolucci (Sudbury): I'm pleased to join the debate this afternoon. I'd like to start off by suggesting to the members of the House and to the people of Ontario that when the Mike Harris government took office, they took office saying that public involvement would be very, very important to them and to the new direction in Ontario.

I think any time allocation motion for frivolous reasons is a very poor indicator that the government of the day, in this instance the Mike Harris Tory government, wants to involve the people of Ontario. When you know for a fact that by the end of debate today and this evening there will be in excess of 33 closure motions that have come before the members in the House, I suggest to all the members in the House and certainly to the people of Ontario that if you voted for a Mike Harris government because they were going to include you in the public process, you have been sorely fooled by the Mike Harris Tories.

Having said that, it is important for the people to understand that what a time allocation motion does is to effectively end the public input into the decision-making that they should be a part of. They elected their representatives to bring forth to the House the opinion of the people they represent in their particular constituency or in their riding, so to have a government that in excess of 33 times has said, "I'm sorry, but the people of Ontario's opinion, their direction, their input, their suggestions, their opportunity to affect democracy are no longer important, and because you, the people of Ontario, are no longer important, we, the Mike Harris government, are going to time-allocate the motion and effectively cut off your involvement in democracy," is nothing to be proud of. It will certainly be a point that the people of Ontario will remind you of on a continuing basis as we move towards the next provincial election.

I'm looking forward to the next provincial election, first to be able to try to put forth a Liberal platform that is going to be appealing to the people of Ontario, but also to defend our record in opposition, in what we suggested was important for the people of Ontario and how we had to argue those with the Mike Harris government. That's part of a time allocation motion. We don't get the opportunity to do that any longer.

If I had more time than I'm going to have this afternoon, I might want to spend a little bit of time talking about the history of Sudbury and talking about what happened when a government that was in power cared little about the environment and allowed the prevalent industry in Sudbury to in fact destroy the environment through sulphur dioxide emissions.

1620

Our environment was bleak. It was barren. The greenery had died. There was massive black rock. But over and over a period of time, and because of a very progressive regional council, because of a very good partnership with university professors, we decided that we could re-green Sudbury. So over a period of approximately 10 years we planted in excess of two million trees. The barren landscape that was once Nickel Centre, that was once a part of Copper Cliff, that was once a part of Gatchell, the area I grew up in, now is once again beautiful.

We did that because the community came together and decided that the re-greening of Sudbury was important to the survival of Sudbury, but it was also important to the survival of the people in Sudbury. At that point in time we became very conscious of the importance of the environment and the importance of being environmentally friendly not only in our thoughts but in our actions.

If the time allocation motion wasn't in place, I could probably speak for a good hour, hour and a half, on how beautiful our region became once again. The reality is, though, this motion doesn't allow me to do that. If I'm going to stay in order, I must, I have to, speak to the motion.

Mr Len Wood: Get your Liberal buddies to give you more time.

Mr Bartolucci: The member, Len Wood, who will be running against David Ramsay in the next election, says to let my buddies give me the time. Well, that's the problem with the time allocation. Mr Wood, you should know, as a member of the third party, that my other colleagues will have opportunities that they will want to say a time allocation motion doesn't give them the time to debate.

The Acting Speaker: Member for Sudbury, I remind you to speak through the Chair, please.

Mr Bartolucci: I apologize, Madam Speaker, and I will do that in the future.

The problem with the time allocation motion is that there is clearly less time for debate and there is clearly less time for any substantive changes to government policy.

It's interesting that people are trying to affect government policy as we speak today. I'm going to spend the next few minutes talking about the clean air committee of Sudbury, which is co-chaired by Primo Steffan and Marie-France Dhaouadi. These are two residents in the west end of Sudbury who got tired of breathing bad air and decided it was time they tried to affect not only the industry in Sudbury and not only the municipal level of government in Sudbury, but it was time they tried to affect the provincial government. Clearly, they have.

We have over the course of the last two weeks presented in excess of 2,000 names on petitions at various times talking about the importance of establishing some type of monitoring system for the people of the regional municipality of Sudbury. This is, to use the government's term, a citizen initiative. It's a good initiative, and if we had more time today we would be able to spend time

explaining to the people in the House and to the people of Ontario how a few people can make a very big difference. So I congratulate Primo Steffan and Marie-France Dhaouadi on the excellent work they have done in the past in bringing awareness of the importance of clean air in the regional municipality of Sudbury. This petition is continuing and it will continue in the future.

Just recently there was a letter to the editor in the paper, and I guess it's pretty telling on the government. They are very familiar with this bill, but they say:

"Despite the fact that the mining industry has been in compliance with their annual emission 'limits' and that you have assured us that 'the two companies are working on negotiated, voluntary abatement programs,' more positive steps need to be taken by your ministry." This is a letter to the Minister of the Environment.

"Your government has failed thus far to impose a time frame or implementation deadline on the mining industry to achieve compliance with the provincial standard.

"Consequently, our mining industry neighbours continue to enjoy the liberal control limit of 0.50 parts per million concentration of sulphur dioxide, which is double the Ontario standard of 0.25 parts per million.

"Shame!

"The citizens of this region deserve better and we would truly like to believe that your ministry's objective is to reduce emission levels to acceptable standards.

"However, a credible plan of action must prioritize the health and welfare of the people in this region and include a realistic time frame.

"Minister Sterling, serious governmental attention to these matters is long overdue."

The reality is that with the passing of this bill — and I'll certainly be supporting the legislation, because there are some very positive steps in it. Too bad there won't be the power behind it to enforce it, but certainly the concept is long overdue.

I can't support a time allocation motion that cuts off debate so that Primo Steffan and Marie-France Dhaouadi feel their work may now be in vain. It won't be, because we will continue to present the petition, we will continue to write letters to the minister, and we will continue to ensure that the Clean Air Committee of Sudbury's work will only be done when Sudbury and Sudburians once again have and breathe clean air. It is not a pipe dream; it is a reality that we will work hard at achieving.

I should also, in the very limited time that I have left, remind you that whenever a time allocation motion is put in place, the reality is that we in this House are not allowed to bring forward the opinions and the points that our constituents bring to us on an ongoing basis. I would suggest to you that the minister would be well advised to talk to various municipal governments about this particular bill, talk to various groups that are a part of industry with regard to this bill. Had they done that before this time allocation motion, I think what we would have had here is a much stronger bill, a much better attuned bill to meet the varying needs of the various areas of Ontario.

There are limitations, and the limitations by the government are self-imposed. This bill did not get public

hearings, it did not get committee hearings, and I suggest to you that we would be much better listening to those people who walk the walk as opposed to listening to those of us in the House who try to talk the talk but have never walked the walk.

Maybe that will lead me to my last point. Again, it's the time allocation motion that I would like to comment on. It doesn't allow me to spend the time that I believe should be spent on the establishing of a committee to study workplace carcinoma. I suggest to those people who are in the House and to the people of Ontario who don't live in an area like Sudbury or Windsor or Hamilton or Sault Ste Marie, you will not understand the importance of establishing a committee to study workplace carcinoma like the people in those areas do. The reality is, people, that 9% of the people who go to work — Cancer Care Ontario's numbers, now — will contract cancer and ultimately die. That means approximately 2,100 people a year will die because they choose to go to work and try to provide a livelihood for their families.

I suggest to you that Cancer Care's direction and pleading with the government that a workplace carcinoma committee be set up, that my pleas with the government and that industry workers' pleas with the government are important. I ask as part of the passing of this bill that the government commit to establishing a workplace carcinoma committee so that people can feel free and can feel secure in knowing that when they go to work to provide a living for their families, for their children, for their loved ones, they're not going to contract cancer and die.

I don't agree with time allocation motions. I do agree that this bill is good, but this bill could have been a lot better had you allowed the people who walk the walk to have some input into it.

1630

Mr James J. Bradley (St Catharines): Again I'm forced to speak on a time allocation motion, which of course is a motion which limits debate, which restricts debate, which slams the door shut on further debate in this Legislative Assembly. It's a motion which has become commonplace with the Harris government.

What I think everybody is surprised at is that knowing the problem that existed, the government did not in its very first few months move on legislative initiatives of this kind, instead of moving to set up a commission to close down hospitals such as the Hotel Dieu Hospital in St Catharines and the Maplehurst hospital in Thorold and others that could close in the Niagara Peninsula.

In fact the first initiatives from this government turned out to be initiatives to weaken environmental regulation and environmental procedures in the province. The government characterizes them as clearing up red tape or making it easier to deal with the laws of the province. What they really did was weaken the environmental efforts of the province, and this is kind of a death bed repentance, the conversion on the road to Damascus, for this government, when it's now bringing in a bill at the very last minute which is going to make some marginal improvements in circumstances involving prosecutions in Ontario.

I remind members of the assembly that under the Conservative government of Mike Harris, fines collected in environmental prosecutions are down by some 50%. In effect what's happening is that under the Conservative government, the government is now making deals with polluters not to prosecute them. That's essentially what's happening now, if you wonder why we're not seeing those prosecutions.

When I had the opportunity to be the Minister of the Environment, I remember being lectured by the Tories because they said my approach was too prosecutorial; in other words, we wanted to constantly investigate and bring to court those who were violating the laws of Ontario. They said: "No, no, you've got to make it voluntary. We've got to have these voluntary codes brought in." Well, voluntary doesn't work, of course. It works for those who are good corporate citizens, but it leaves them vulnerable to competition from those who don't want to adhere to the good environmental practices that we think all corporations and others should adhere to.

The Canadian Institute for Environmental Law and Policy put out a list which I think is a condemnation of the government's policies on the environment outside of this bill; they have not included this bill on their list. It reads as follows: "Reductions to the budget to the Ministry of Environment and Energy of over \$200 million, a 37% reduction of the 1994-95 budget: over this period, this ministry will lose 752 staff, 31% of current employees." It's got worse since then, of course. More employees have been turfed out the door and the budget has been more restricted in terms of the ministry being able to spend its money.

I can tell you that in the Ministry of the Environment if you don't have the resources and you don't have the staff, you cannot enforce the laws we're passing this afternoon or any other laws in the province. It's just a wink and a nod and the polluters are very happy.

Remember, this government got elected with the support of some people who did not like the Ministry of the Environment. In fact, they detested the Ministry of the Environment because it got in their way of making a profit, the kind of profit they wanted. There were good corporate citizens out there, good corporate entities that could make a profit and still be environmentally sound in their practices and their policies, but the ones who didn't like it went to the right-wingers and said: "You gotta put those people from the Ministry of the Environment in their place. That ministry has to become business-friendly." Well, it's become business-friendly, to the chagrin of the general population of this province and to the chagrin of good corporate business people who don't want to see that kind of change taking place.

"Reductions to the budget of the Ministry of Natural Resources of \$137 million by 1997-98, a 26% reduction of the 1994-95 budget: Over this period, this ministry will lose 2,170 staff, representing 40% of current employees."

If you think you can carry out the responsibilities of the Ministry of Natural Resources, the policing and the watchdog responsibilities of that ministry or of the

Ministry of the Environment, by slashing the staff, by throwing them all out the door, I'm going to tell you that you can't do it. In fact, you're getting the exact opposite happening in this province. It's a wink and a nod and away goes the pollution or the violations of environmental laws and policies.

"The elimination of programs related to energy efficiency, waste diversion, environmental and natural resources science, research and education, community environmental action, sustainable forestry" — gone.

"The implementation of major cuts to the budgets of the Niagara Escarpment Commission, and initiation of a review of the commission's mandate and functions."

I saw a bill today, another one of those red tape bills. The compendium is about that thick because there are three different documents that go with it. You have to look through it carefully, and what do I see? A reference to the Niagara Escarpment Commission and a way to make it easier to get development permits through the minister.

Nobody's going to see that easily. It's the dying days of the session. They're talking about the payment to Al McLean or they're talking about advertising or they're talking about something else, but they're not talking about this, so the government thinks, "We can slide this through now, bring it in at the last time." Many of the provisions of the bills that were brought in by the member for Lincoln, those so-called red tape bills, were designed to make it easier for polluters. That simply is not in the interests of the environment in his province.

The Canadian Institute for Environmental Law and Policy goes on to say: "The weakening of protection for environmentally significant areas, such as wetlands, woodlots and ravines, and prime agricultural land through Bill 20 amendments to the Planning Act and new provincial planning policy statement."

They just threw the Planning Act out the window. There had been three years of consultation. They went to everybody in the province. They tried to make it so you can have some reasonable planning policies in this province, but the developers won out. They just sharpened their elbows, headed forward to the fundraiser and said, "Let's get rid of these laws." As a result, we're going to see environmental mistakes made and a degradation environmentally in this province, just because you want to cater to one group of people who just don't give a darn about the environment as long as they can make their big dollars.

"The weakening of controls on activities on public lands and on activities which may affect the province's waterways through Bill 26 amendments to the Public Lands Act and the Lakes and Rivers Improvements Act."

Remember Bill 26, the huge, mammoth, what we call a budget bill? We call it the bully bill because it amended or changed or abolished or altered some 46, 47 or 48 statutes of the province of Ontario to elbow aside everybody else and concentrate that power in the Premier's office and in the office of a few powerful ministers of this government.

"Near elimination of...funding to conservation authorities, and the facilitation of the dissolution of authorities

and the sale of their lands through Bill 26 amendments to the Conservation Authorities Act."

All those lands which were accumulated in the public interest, good lands that conservation authorities accumulated: Some of them are being sold off now so they can meet their requirements financially, and you're underfunding those authorities which carried out some good environmental and conservation works in the province just because you had to have that tax cut for the rich in the province.

You have the "repeal of the ban on new municipal solid waste incinerators." Not much has come out of that, but you took that action immediately.

1640

"The weakening of the mine closure and remediation provisions of the Mining Act through Bill 26." Again, one of the things people didn't see in Bill 26 was that weakening of the Mining Act. You should see some of the messes that are left after the mines are finished, the mine tailings areas that are left as a result of mining. Mining is a necessary occupation in Ontario, it's a necessary business, we all understand that, but we have to ensure that while the mining operation is taking place, it's as environmentally sound as it possibly can be and that what is left over is environmentally acceptable. You've weakened that in Bill 26.

You're "exempting prospectors from environmental liability under the Environmental Protection Act."

You have "the virtual elimination of provincial oversight and management of Ontario's public forests as a result of a \$45-million/year cut to MNR budget for forest management." So the sky's the limit, I guess — I don't know if that's the proper word to use — when it comes to cutting trees in this province. It's just out of control out there. I heard one of the members extolling the virtues of the new Lands for Life project. That's really turning over many of the forests in this province to the lumber barons; not to the public good but to the lumber barons in this province.

You're "implementing a \$9.1-million/year reduction in provincial parks funding. Twenty-seven provincial parks are to be 'no longer operated by the Ministry of Natural Resources' or 'partnered' with outside agencies. There is to be a new emphasis on revenue generation and cost recovery in other parks," as opposed to having them for the public good. Once again, if you've got the money, you can afford it; if you don't, tough luck.

"The implementation of major cuts to provincial support for public transit." Public transit is designed to ease the burden on the environment. The fewer cars that have to come in and out of Toronto every day is a good example. That means the air quality should improve. But all over Ontario, you've cut funding to the provincial support that used to be there for public transit. The St Catharines Transit Commission is faced with the dilemma of having to cut back its operations for its services or to steal money from somewhere else; get money from some other area of municipal endeavour in order to operate a public transit system.

Even in some of the states, and we often think of them as being not particularly wedded to public transit, there are some excellent public transit systems. That's something we should emulate in this province.

You're "permitting the Intervenor Funding Project Act to expire." Now when a big proponent goes in, has lots of money, it's tough luck if the people want to oppose it. They've got to have the bake sale and the garage sale and so on to raise a few dollars to hire a lawyer or an expert of a scientific or planning type to go against a phalanx of lawyers, the battery of lawyers and scientists and engineers and so on who appear for the proponent. So much for a level playing field there.

You have amended "the Freedom of Information and Protection of Privacy Act and the Municipal Freedom of Information and Protection of Privacy Act through Bill 26 making it easier for provincial and municipal agencies to reject freedom of information requests." There is nothing like having information available to be able to make good decisions. You want to do one of two things: either just not make it available to the public, prohibit the public from having this information, keeping it secret in the vaults, behind closed doors, or you make it so expensive to obtain the information that nobody can really afford it, realistically speaking; a big backward step by the Mike Harris government, contained again, I remind you, in Bill 26, when we warned against the ramifications of the bully bill.

You're "exempting banks from environmental liability under the Environmental Protection Act." Banks used to be liable in that case. You've taken them off the hook, so they will be pleased with you. I don't know how many other people will be.

You're "initiating a one-year review of all environmental regulations, with the intent of eliminating those which cannot be justified against criteria established by a 'Red Tape Commission'; ensuring protection of the environment and a sustainable management of natural resources conspicuously absent from the commission's terms of reference." That commission was really set up to get the government out of the hair of those who wanted to pollute in the province, who wanted to carry on the way they used to in the good old days, way back when.

I've listened to those people. They never liked the Ministry of the Environment. They referred to the investigations and enforcement branch in such a degrading way that I wouldn't repeat it in this House. Of course, we have a significant weakening of that investigations and enforcement branch, which was out there to go in, to look where there were problems, to lay charges, to prosecute, to bring people to account.

I can remember the chagrin with which our legislation in 1986 was greeted by the Conservative caucus when we drastically increased the penalties for polluters, including potential jail sentences. We were criticized for that at the time. Yet that's why we saw so many prosecutions, so many people in court, so many people brought to account and so much improvement in the environment. That's going to be gone.

Fortunately, with this bill we get a bit of an improvement. As I always say, it's better than a kick in the shins, but not much better than a kick in the shins.

"Proposed environmental deregulation of the aggregates (pits and quarries) and petroleum industries through Bill 52 amendments to the Aggregate Resources Act, Petroleum Resources Act, Mining Act and the Ontario Energy Board Act," weakening them again. They finally got strengthened, and we just boot those out the door and say: "Go right ahead. Forget about it. We're going to weaken those. You've got your way, polluters. Go ahead."

You laid off "900 Ministry of Natural Resources management and conservation staff," right out the door. That was their job, that was their responsibility. They're gone. Nobody is watching. The fox is in charge of the henhouse when it comes to that situation.

You permit the "burning of grass and leaves in areas up to one hectare without a permit through the implementation of Bill 26 amendments to the Forest Fires Prevention Act."

There's "a projected 50% reduction in enforcement actions by the Ministry of Environment and Energy," and an "introduction of Bill 57, the Environmental Approvals Improvement Act." They always have such a crazy name, too. It's usually exactly the opposite. It says "the Environmental Approvals Improvement Act, Bill 57." Well, it's an improvement. It's an improvement for those who want to avoid the act.

When you wanted to get approvals you had to go through several steps and you had to be very careful and various ministries of the government had to comment. You wanted to make sure it was in good shape before you allowed it to go through. Now it's a whistle, like that. Snap the fingers, away you go, because they changed the act. And the polluters are happy. They'll all be at the fundraisers, large as life. Next election they'll be right behind you, no doubt about it, but much to the detriment of the general population of this province.

That's what an independent group, the Canadian Institute for Environmental Law and Policy, had to say. By the way, I see as well, in the new act affecting legal aid, that you put the boots to CELA, the Canadian Environmental Law Association through that act now.

Everything you've done has been there to weaken the efforts — you have a couple of public relations efforts out there. You have the so-called Drive Clean program, which has been talked about and promised and repromised and reannounced three or four times, and all you've done so far is advertise. You're spending money on advertising, I would surmise hundreds of thousands of dollars, to go with the \$50 million you're already squandering on self-serving government advertising.

Every time somebody turns a TV set on now, every time they see an ad, they should reach into their pockets; they're paying for it. I haven't heard the taxpayers' coalition on that one. I'm waiting for them.

My good friend the member for Lincoln, who was president of the taxpayers' coalition, was infuriated by the paying of the legal expenses of the former Speaker, the member for Simcoe East. He said in the newspaper he was

infuriated. He put out a press release. He said, "I remember when I was head of the taxpayers' coalition hating this kind of thing happening by governments." I hope his friends on the taxpayers' coalition are equally infuriated by the government just throwing tens of millions of dollars at self-serving government advertising. Turn on the television set. There's another government ad, self-serving, promoting the government.

I don't mind if you put an ad on that said: "Here are the dangers of German measles for women who may be carrying a child. Here's why you want to be cautious." That makes sense. That would be a very reasonable one.

You put out tenders. I expect that's going to happen; that's a legitimate one. You advertised in Louisiana for the tourists to come north to Ontario and spend their dollars here. Good stuff; I have no objection to that.

1650

But this self-serving advertising — not the ministers or anybody in this House, not you people, but the advertising is misleading, in my view. I just wanted to clarify that so I don't have to do that —

Mr Gilles Pouliot (Lake Nipigon): What about the Hotel Dieu Hospital?

Mr Bradley: I mentioned the Hotel Dieu Hospital earlier in the speech as well. They've got plenty of money to spend on advertising but they've got to slam the doors shut on the Hotel Dieu Hospital in St Catharines.

I also want to indicate the kinds of things we're seeing. There are all kinds of dollars put to the cuts that have taken place in that ministry.

I want to say as well that these land use planning rules have been watered way down. I feel bad for farmers in this province, who are going to have to put up with development heading out into the farmland. You know who it'll be; it'll be the city folk. They're going to come out and want their mansion out there: "I want the peace and quiet of the country and the nice country setting." Then when they get out there they hear noises from the farm, they get the dust from the farm and they get the odours from the farm. "The obnoxious uses," they'll say and they'll start phoning everybody. "Look at the problem we've got." I'm sorry, farmers have a right to farm and you moved out there.

I don't blame them for trying to move out there; I blame the provincial government in this case, and in some cases municipal politicians, for allowing development out in the farmland, for allowing that intrusion into the farmers' territory. The farmers didn't invite them out there. Farmers police one another. If there's a legitimate complaint about farming practices, let me tell you, one farmer will let the other farmer know immediately. That's quite legitimate.

When I saw this environmental retreat, I knew that we would face the big issue that's in the US now, which is urban sprawl. It became an issue in the last election. People started to talk about that urban sprawl that's taking place, gobbling up the land, Oak Ridges moraine and other areas that should be protected in this province, with huge development.

I see the member from Muskoka here. A lot of people may think all that development taking place in that part of the country is great stuff. In some cases it might be, but we've lost an awful lot of what I consider to be a wonderful area of our province as I've seen, in some cases, unwise galloping development taking place. What a beautiful part of the province that is. I hope we don't see it just overwhelmed with development, because it should be retained.

The Niagara Escarpment, recognized by the United Nations as a world biosphere reserve, is being reduced. The commission has got new people on it, some of the good old boys. My good friend Bill from up north, in Grey-Owen Sound, is a guy who's never liked the Niagara Escarpment Commission. He's always admitted that. He got one good old boy on, who misspoke himself once rather embarrassingly and had to resign. But he's got another good old boy on there. You can see by the makeup of the commission that many of the members aren't as committed to the preservation of those lands as they used to be. I consider that to be unfortunate.

I saw an application in my own area where now apparently the commission has approved — I don't know if the cabinet finally has — condominiums and a culinary school. A cooking school has been approved on one piece of land. Now everybody's going to want it. What's there now is a beautiful restaurant, a lovely restaurant, a great winery that goes with the restaurant, tours. You look out over the land and all you see is vineyards.

You say, "Is that good agritourism?" You'd say, "Sure is, makes sense." That's why people from the big smoke here, Toronto, want to go down there. That's why Americans come up. They enjoy those large tracts of agricultural land; they enjoy that setting. Now there's an application approved for condominiums and a culinary school which could better go in the downtown area of some community. That's the door opening. Do you know who opposed it? Many of the agricultural people, other people in the winery business who said, "If you're going to do it, we're going to demand the same thing." You lose what's so nice about the Niagara region when you do that. It's an environmental mistake.

The Provincial Auditor has been critical of you people as well. The World Wildlife Fund gave the Ontario government an F on wilderness land protection policy. You've allowed it to slide. I don't know why you get up and make any speeches bragging about the environment. If you were to concede that you have stepped back several steps in environmental protection and say, "That's our policy," at least I'd say that you're up front about it. But to try to dress up some of this stuff as though you're really doing something about the environment is absolutely appalling, it really is.

People on the government side will say, "We have fewer problems now." I'll tell you why. You're not looking for them. The Ministry of the Environment is back to being the ministry of defence — "Find a problem? Let's build a wall around it. Let's find out what the problem is

going to be and we'll bury it somewhere" — instead of dealing with the problem on an upfront basis.

I can tell you that we will support this bill. This bill is better than a tomato in the back of the head — I'll use that one — but it represents only a conversion on the road to Damascus, only a last-minute, deathbed repentance on the part of this government.

I want to see the bill go through. It didn't need the time allocation motion to get through. I would have been delighted to see this bill go through, only because it is a baby step, but nevertheless a step in the direction we would want to see.

Upon that, I will yield the floor to my good friend from Algoma.

Mr Christopherson: The real author.

Mr Alex Cullen (Ottawa West): Author, author.

Mr Wildman: Thank you. I really must say that I'm rather nonplussed about this time allocation motion. Here we are spending an afternoon near the end of the session, before the Christmas break, debating a time allocation motion on Bill 82, a bill which, as my colleagues have indicated, is very similar to a private member's bill that I introduced two years ago and which was passed unanimously by this House, a bill which all members of this House, or at least all parties, have indicated they will support.

This is also a bill that we've only had two days' second reading debate on. You'd think that the government would want to have a third day of second reading debate on this bill so we could get through second reading and move on and pass it. But no, they spend an afternoon, one sessional day, on a time allocation motion on a bill that everyone supports.

I hope I'm not betraying anything I shouldn't, but I asked the parliamentary assistant, "Why are we doing this?" He said, "I understood that you guys in the opposition were opposed to this." Would someone explain to me why I would be opposed to a bill that copies my own bill?

Mr Cullen: They're addicted to these time allocation motions.

Mr Wildman: My friend says they're addicted to time allocation motions.

I really want to talk about this. As a member of the assembly who has watched the Legislature over a number of years, I'd like to deal with this matter which I think is very bad for our parliamentary democracy, and that is simply that time allocation has become routine. The government just uses it all the time, even on bills like Bill 82 that have general support from all members and all parties.

It used to be that in the old days governments would use closure and time allocation sparingly and that they would use it on controversial pieces of legislation that the government believed had to get through but were facing serious opposition. Governments did not time-allocate or close off debate on bills that had the support of the opposition. It's ridiculous. It doesn't make any sense.

1700

Mr Galt: Is that why you sat for only five weeks?

Mr Wildman: The member talks about what we did. Let me put a few facts on the table. The former NDP government did use time allocation. We actually used it a total of 21 times.

Mr Cullen: Over five years.

Mr Wildman: That was over five years. During that time, the government passed a total of 163 bills. So we had 163 bills passed into law over five years, and 21 of those bills were time-allocated.

This government, which is still not through its mandate, four years on, has used time allocation, including this time allocation, 37 times, and this bill is the 100th bill. So they have had 100 bills, and they've used time allocation 37 times.

Mr Cullen: That's 37%, over a third.

Mr Wildman: Yes, 37% of the time is time-allocated.

When we were in government, we had 163 bills and we used time allocation, I admit, 21 times.

This is a government that claims —

Mr Galt: But you were only here five weeks in a year. How could you use it?

The Acting Speaker (Mr Bernard Grandmaître): Order.

Mr Wildman: They don't like to hear facts. They don't like to hear the truth. This is a government that claims, absurdly, that they actually consult more than we did when we were in government, which is ridiculous. This is a government that, by definition, considers consultation a waste of time. But the facts will indicate that this is a government that is prepared to run roughshod over the opposition by using time allocation 37% of the time. Ironically, as I said, it's not even over the opposition. They use time allocation even when the opposition agrees with the government. I can't understand it.

Mr Joseph Spina (Brampton North): Nobody cares. Does it make any difference?

Mr Wildman: The government member opposite says: "Nobody cares. Does anybody know? Does anybody care?"

Mr Pouliot: We care.

Mr Wildman: That's the point. That's exactly the point. This government seems to operate on the basis of, "What the public doesn't know won't hurt them." They don't operate on the basis that it is the responsibility of a democratically elected government to protect the rights of its citizens, to protect the rights of Parliament, to protect the rights of the minority in Parliament. They don't do that. This government doesn't understand parliamentary democracy; all they understand is getting the bill through, no matter what.

As the member says, "Does anybody care?" I'll tell you who cares. A citizen who cares about democracy, cares about this assembly operating in a democratic fashion rather than simply getting bills through no matter what and using closure 37% of the time. There has never been any explanation by the government why they are time-allocating Bill 82, none whatsoever.

Mr Spina: Heil Bud.

Mr Wildman: I think the member just used a term, Speaker, which I think you would agree is unparliamentary and, if it were properly applied, would more likely apply to a government that closes off debate than to someone who is arguing for free debate.

The Acting Speaker: I'm sorry. I didn't hear the comment.

Mr Wildman: I think the member said, "Heil Bud."

The Acting Speaker: As the member knows, this is unacceptable. Would he like to retract his comment?

Mr Spina: I'm not sure what the comment was, Speaker.

The Acting Speaker: I'm not asking for a debate. I'm asking you to retract.

Hon Mrs Marland: Just withdraw, Joe, for crying out loud.

Mr Spina: I withdraw.

Mr Wildman: Now let's look at the record of this Parliament. In the first session of Parliament, which ended in December 1997, with the government elected in 1995, time allocation motions were used on October 25 and December 12 of 1995, then November 28, subsequently amended on December 3, of 1996. So they started off slowly. Then there was January 29, February 6, April 22, May 29, June 2, 3 and 26, September 4, 8, 16 and 17, October 2 and 6, December 2, 8, 15, 16 — and now today. That was in 1997, in the first session.

Let's look at the second session: time allocation motions on October 14, 1998, June 18, 1998, June 22, 1998, June 24, 1998, November 2, 1998, October 5, 1998, October 26, 1998, June 4, 1998, June 23, 1998, June 1, 1998, June 8, 1998, June 2, 1998.

I suppose each time they do it, it gets easier, and I suppose they can justify it to themselves by saying: "Nobody cares about free debate. Nobody cares about the way the assembly works." This is a Legislative Assembly. It's also a Parliament. "Parliament," as we all know, comes from the word "parler," to speak. It's about talking; it's about debate. It's also a Legislature, which comes from the Latin word "legis," for "law," which is to pass laws. It's to debate about laws. That's what this is about. It's not just about passing laws, it's about debating them. It's about finding out what's good about legislation that is proposed, what the shortcomings might be and how we might improve the legislation. That's what it's about.

Once I said this government was a government that doesn't believe in government. I think the Premier confirmed that by saying that he wasn't the leader of a government; he said they weren't the government. They don't believe in government. They want to make it smaller, get it out of the way, turn over as much as possible to the private sector. That's fine; that's their ideological position. But what is really disturbing to me as a parliamentarian who has served in this place for 23 years is that this is also apparently a government that doesn't believe in the Legislature, doesn't believe in Parliament, doesn't believe in the process in this place.

Frankly, I think they believe it gets in the way, it's a nuisance, it holds things up —

Mr Pouliot: Slows things down.

Mr Wildman: — slows things down. Sometimes it does, that's right. And sometimes, we've seen with legislation related to taxation in this province, I think even this government would admit that it would have been better if they had been slowed down rather than introducing one bill after another and finding it was wrong and didn't work, and they had to bring in a new bill. They've got seven bills on property tax.

Mr Pouliot: Most incompetent.

Mr Wildman: It's just showing incompetence. It's not so much incompetence as it is doing things in too much of a rush, without proper consultation and analysis, without proper debate, because some of those bills were time-allocated and we didn't have the opportunity to debate, so some of the mistakes that might have been discovered during debate were not, and it wasn't until afterwards that the government and the bureaucrats came up with the problems. "Oh, wait a minute. Here's something we didn't get. We have to improve it."

Bill 82, as I said, is supportable, yet it's being time-allocated. Let's look at some of the bills that this government has time-allocated. They time-allocated Bill 7, called — get this — An Act to restore balance and stability to labour relations and to promote economic prosperity and to make consequential changes to statutes concerning labour relations. That was the long title. The short title was A bill to allow scabs and roll back the protection of workers in this province.

Then they time-allocated Bill 26, An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda. That was the long title. The short title was a bill to download most costs to municipalities and to the property taxpayers.

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Next was Bill 57, An Act to improve the Efficiency of the Environmental Approvals Process and Certain Other Matters; again the long title. The short title was a bill to eliminate environmental regulation and protection in the province as much as possible.

Then there was Bill 64, An Act to simplify government processes and to improve efficiency in the Ministry of Consumer and Commercial Relations. This again was a bill to eliminate regulation.

I find it strange that in a world where the neo-conservatives throughout the West have been advocating elimination of government regulation, and of what this government refers to as government red tape, we now have facing us the possibility of a major economic crisis around the world. We've already seen the collapse in Asia. There's the possibility of a similar meltdown in Brazil and Latin America that will affect and is already affecting parts of Canada, North America and Europe.

Isn't it strange that some of those same proponents of deregulation are now saying: "Maybe we went too far. Maybe if we had had some regulations in place that would have regulated the banking system and the investment

system better, the problems in Asia might not have occurred as extreme as they are and they might not have affected North America and Europe as quickly as they now do"? But this government hasn't even caught up to those neo-cons yet.

Then they time-allocated Bill 82, An Act to establish the Family Responsibility Office. If there ever was a bill that required full debate and analysis, it was that piece of legislation. What did that bill do? That bill cut more than 280 staff from the Family Responsibility Office, closed all of their regional offices and centralized the operation here in Toronto. There had been problems, we all know, with the Family Responsibility Office and child support in this province, and this government claimed that this bill was going to improve the situation. We all know now that in fact it exacerbated the problem and made it more difficult for single parents to get the child support they require, and it even in many cases made it more difficult for responsible parents, in most cases fathers, to make the payments they wanted to make to their former wives and children.

If there ever was an indication that time allocation is wrong, a stupid, silly way to approach serious legislative matters, it was that bill. Perhaps if we'd had more time to debate, if we'd had more committee hearings, if we'd had more presentations from people in the field, from legal people, from social workers, from parents, we might have seen that what the government was doing was going to cause all the problems we now see in that office.

Then they time-allocated Bill 96, An Act to Consolidate and Revise the Law with respect to Residential Tenancies. This was of course a bill that gutted rent control and meant that tenants are essentially prisoners in their apartments. What it means now is that as long as you're in your apartment and you stay there, you're probably not going to see a major rent increase, but as soon as you move, the landlord can increase the rent on that unit. What does that mean? In an area where there's a very low vacancy rate it means that people aren't going to be able to move, they're not going to be able to afford the rent. We have senior citizens who have essentially now become prisoners in their apartments. We have low-income people who are the same.

Perhaps real debate on that legislation would have convinced this government that what they were doing was wrong-headed. But, no, they didn't want to hear opposing opinions; they wanted to get the bill through as quickly as possible so they brought in time allocation.

Then they time-allocated Bill 99, An Act to secure the financial stability of the compensation system for injured workers, to promote the prevention of injury and disease in Ontario workplaces and to revise the Workers' Compensation Act and make related amendments to other Acts. We all know what that was about. That bill was about cutting benefits to injured workers, making it more difficult for injured workers to get the kind of support they require. It meant bringing an end to the industrial disease panel. It meant gutting the workers' compensation system.

Again, why did we have time allocation on that piece of legislation? It's obvious: because the government did not want to have discussion of the bill. They didn't want to hear from injured workers and their advocates. They didn't want to hear from the labour movement. They didn't even want to hear from those in industry, in management and business who had concerns about the legislation. They were prepared to consult behind the scenes only with those in business who wanted to gut the system.

Next, they time-allocated Bill 103, An Act to replace the seven existing municipal governments in Metropolitan Toronto by incorporating a new municipality to be known as the City of Toronto. Well, we know about that piece of legislation. It was infamous. Many of the municipalities across Metro Toronto held referenda. Some 76% percent of the people voting in those referenda voted against the amalgamation of the municipalities into a megacity. What did this government do? Instead of listening to the people, the citizens of Metropolitan Toronto and all of the municipalities of Metropolitan Toronto, they time allocated a bill and forced it through. They didn't want extended debate. We had forced extensive debate through a strategy in the House. They didn't like that; it got in the way. So they time allocated and cut off debate.

Then Bill 104, An Act to improve the accountability, effectiveness and quality of the Ontario's school system by permitting a reduction in the number of school boards, establishing the Education Improvement Commission to oversee the transition to the new system, providing for certain matters relating to elections in 1997 and making other improvements to the Education Act and the Municipal Elections Act, 1996.

Again, what does that tell us? Frankly, they must have gotten somebody Dickensian to make up the titles of their bills. They're as long as a paragraph in some cases.

I could go on and on about the bills that this government has time-allocated. It's obvious that anything that is controversial, anything that has division of opinions, anything that the government wishes to do that may cause controversy and disturbance, this government time allocates.

What is perplexing about this particular time allocation motion is that all three parties support Bill 82; all three parties are prepared to move forward with improvements to penalties, making it easier to prevent illegal dumping in the province, to tighten up the regulations, to stop the fast-buck artists who are prepared to pollute the environment by illegal dumping. Everyone supports it, and yet we're wasting an afternoon on a time allocation motion once again in this House.

I have pages and pages of bills that have been time allocated that I could talk about. I don't have the time because I want to share the time with my colleagues the member for Hamilton Centre and the member for Ottawa West. I will yield the floor to them.

But why is it? We need an explanation. Why is it that the Minister of the Environment has asked the government House leader to time allocate this motion? Perhaps the government House leader is unaware that the Minister of

the Environment knows that everyone supports this legislation. The thing that's confusing is, the Minister of the Environment and the government House leader are the same person.

Mr Cullen: I'm pleased to join in the debate here. I hope that members opposite listened very carefully to the remarks by the member for Algoma. I think there's something to be learned here about due process. If we simply listened to the government side we would find ourselves talking about the merits of Bill 82, An Act to strengthen environmental protection and enforcement. Indeed, there is a lot in this bill that has merit, seeing that it's been taken directly from the private member's bill that was tabled and passed second reading unanimously, a bill that was tabled by the member for Algoma.

1720

But that's not what we're talking about here today. As the member for Algoma has so eloquently said, we're dealing with a time allocation motion, and it is more than passing strange that here it is Tuesday and we have an evening sitting tonight, we have tomorrow's session and tomorrow night's session, Thursday's session and possibly Thursday night's session, so there are five sitting days to deal with these bills. We're told that as of Thursday the House will be adjourned until — the calendar gives us to March 22 or thereabouts; we simply don't know. There's certainly a lot of talk that we're walking into an election. As the member has said, we're dealing with a bill that has all-party support, so why are we wasting this time going through a time allocation motion that rams this bill through? What has happened to the rest of the government's agenda?

We hear the Minister of Community and Social Services calling for us to facilitate the bill dealing with the Child and Family Services Act, which we think is an important bill, which we think should go to committee, which we think should go through the proper process, but the government in its wisdom decides to use time allocation to put through a bill that has the support of all parties and indeed has already gone through the flames of the legislative process in an earlier iteration.

Quite frankly, it's beyond me. This bill was tabled November 23. It has had two days of debate, and then all of a sudden, bingo, it has to be rammed through right now. As the member for Algoma said, this is a government that just lives and breathes and dies on time allocation motions. If there is some little thing in the way, put a time allocation motion on it.

I just have to go back to the property tax amendment that this government brought in 23 months ago to show you the sorry and sad tale of how this government deals with important public matters and doesn't allow for proper consideration, ends up making mistakes and then compounding mistake after mistake to the point where it introduces a bill late in the 12th month of a 12-month property tax year and says it's going to have amendments, and then time-allocates that so we cannot have proper consideration of the impact of this legislation on the taxpayers of Ontario. Who suffers? It's the taxpayer who

suffers. Of course, the government suffers because it loses credibility. It makes mistake after mistake, but quite frankly, I don't have much sympathy for this government. But it's the taxpayers who suffer.

Here was a property tax reform process begun 23 months ago with Bill 106, the Fair Municipal Finance Act. They introduce that bill in January, they pass it in May, and in June they have to gut the bill because they come in with Bill 149 and begin the process all over again. They introduce that bill in June 1997, pass it in November 1997, but all of a sudden compound things by bringing in Bill 160, which again changes property tax. That bill gets through and they bring in Bill 179, which deals with the Assessment Review Board, and then they decide, because they've gone through market value reassessment, that they have to provide tool kits to municipalities, so they come in with Bill 15, the so-called Tax Cuts for People and for Small Business Act, followed on the heels by Bill 16, the Small Business and Charities Protection Act, because they didn't think through the implications.

This is the role of the opposition. We have an election, a proper democratic process. A government is elected, and our job on this side is to provide constructive criticism to government initiatives so that through the legislative process — first reading, second reading, committee, holding public hearings, hearing from people who are expert in the field, offering amendments, going through third reading — we can perfect legislation, because we're all here to serve the taxpayers of Ontario. The government proposes, the Legislature disposes, and we are here to offer amendments and, through constructive criticism, come up with better legislation.

When the government goes to time allocation, as it has done 37 times, a record — that's 13%, or almost one out of eight times that it goes to time allocation to force through a piece of legislation — then sooner or later it's going to lose in the process.

With this particular bill, Bill 82, quite frankly there was all-party consent. Mr Speaker, you know as well as I do we have some 30-odd bills that the government has left outstanding on its agenda, 10 of which it wants to get through. There are about 10 or so that have all-party consent — there's no controversy — and about a dozen or so that are simply there for show. The bill that was tabled earlier this week to deal with balanced budget legislation is simply there for show. They have no intention of passing it before the next election, and indeed that bill would not come into play before the year 2000-01.

We find ourselves dealing with a time allocation motion, and it is beyond us why we must spend a sessional day when there's so much other important government business to get through.

Again I think of the Child and Family Services Act. We have the Minister of Community and Social Services actually prompting one of her backbenchers to ask a question about it so that she can cite how important it is and how she wants all-party consent to get it through. Well, of course we want to have the appropriate legislation go through. We want it to go to committee. We

want to make sure that this bill is properly considered so that we can have a good piece of legislation, unlike what we saw on property tax.

I've talked about Bill 106 that began the process in January 1997, followed by Bill 149, followed by Bill 160, followed by Bill 179, followed by Bill 15, then Bill 16, and then of course Bill 61. They couldn't deliver the property tax rolls to municipalities on time because of all these changes, even though the municipalities and their bureaucrats, the municipal clerks and treasurers, told them there were all kinds of problems with this and they couldn't get the system in place and done in time. The rolls came to the municipalities late, because of course they're trying to figure out what they have to raise from property tax, given the impact of the downloading provisions, the additional responsibilities that this government has offloaded to municipalities, services that should never be on property tax and that their own Crombie commission, the Who Does What commission, said should never be on property tax.

We find them coming in with Bill 61 to extend the appeal deadline for property tax appeals — time allocated — and then Bill 79, which they introduced in November, which not only dealt with extending that deadline but began to fix up the problems they created with Bill 16 and Bill 61, and they time-allocate that. They compound error after error after error.

Again, when the minister stands up in the House to table the bill in November, the 11th month of a 12-month year — by the way, if indeed there are some outstanding problems as a result, the municipalities are to consider these things in their next budget year, in 1999, a wonderful gift from the Harris government on an exercise that was supposed to be revenue-neutral and which has joined Orwellian Newspeak as saying one thing and meaning the opposite. You remember George Orwell, Mr Speaker, and 1984. He talked about the Ministry of Love, which of course put out propaganda that was filled with hate; the Ministry of Peace, which waged war; the Ministry of Truth, which disseminated everything but. We have the same kind of Orwellian Newspeak here and we have the government again using time allocation.

We're here to stand in this House and tell the other side, "You're wasting the public's time on this particular time allocation motion." This is unnecessary. You had introduced the bill. It had gone through two days of debate. There was the willingness to make an agreement on it because it is, in essence, a good bill. The reason we know it's a good bill is because it's a carbon copy of the one that was tabled in the House by the member for Algoma back in 1995 and again in 1996, a bill that was passed unanimously by the House in 1996.

Interjection.

Mr Cullen: I hasten to tell the member for Kingston and The Islands — I know his memory is going — I wasn't in this House in 1996. But if I had been here, I would have supported it.

We find ourselves in this unique situation with only so many hours of life in this particular sitting of this House,

with so many more important bills to get through, and it's the government that says we have to go and deal with this.

The whole purpose of the legislative process is to ensure that the public have the best legislation possible. The members on the other side, quite frankly, don't understand that. As the member for Algoma said, they have basically jettisoned the whole notion of responsible government and due process to the point that they have set a world record — at least a record for the province of Ontario — in terms of throttling debate.

1730

Over one bill in three gets time-allocated. This is bad government. It leads to the errors we saw with respect to the property tax process. It even led to errors with respect to the government's education process. We're seeing errors as well with a number of other bills that are coming forward, not yet moved in this House, and then all of a sudden they have to catch up with an amending formula and another amending bill because they haven't thought it through. That's the fact of the matter. They don't think these things through.

We're all elected here. We're all elected to bring forward the concerns of our constituents. That is the democratic process. This government might take a page from the old master himself, Bill Davis, who was the Premier of Ontario for over 15 years, was Mr Smoothie, but he got through or survived his political life by listening to the opposition, and even from time to time stealing ideas from the opposition. That's the mark of a good government: that it can understand there is more than one way of looking at something, and if it wants to provide good government to the residents of Ontario, from time to time it has to accept constructive criticism and make changes to its legislation so it can come in with something that more appropriately meets their needs.

This government does not. This government is ideological. This government is tied to the Common Sense Revolution, and so tied to it that it doesn't understand that at the same time it comes in with balanced budget legislation, it's still running up a deficit in Ontario that has contributed \$22 billion to the debt of Ontario, running it up from \$88 billion to \$110 billion, and because it insists on closing hospitals — a promise it never made in the Common Sense Revolution — and closing schools and cutting important services in our community.

I can recall being on the children's aid society halfway through our budget year and getting the economic statement tabled by Ernie Eves that forced us to take a 20% cut midyear in our budget, so we had to have Harris days, we had to lay off staff, we had to reduce service, and we weren't the only community service that had to do this. We found all these initiatives being taken to finance an income tax cut, one quarter of the benefit of which goes to the top 6% of our population.

In my by-election, which was just a year ago last September, people said to me that the Harris income tax scheme was not worth the price of closed hospitals, closed schools and loss of community services that support maintaining the kind of community we want in this pro-

vince. We are still a caring community. We simply have a government that doesn't care: doesn't care about the legislative process, doesn't care about listening, doesn't care about people who are in need.

This particular bill that this government suddenly is ramming through is the equivalent of St Paul. I know we're talking about a time allocation motion, but it's a time allocation motion that is ramming through a bill that really has all-party consent. But the epiphany here of the Conservative government to suddenly adopt the member for Algoma's very excellent bill is not because they have a greater commitment towards the environment, not at all; it's because, "Oh, my Lord, the clock is ticking and we're walking into an election and what have we done in terms of the environment in our three and a half years?"

I can tell you what they've done for the environment in three and a half years: They've gutted all the enforcement provisions of the previous legislation. They have taken away any ability to enforce the kind of legislation that's been built up over the years to protect our environment that people in Ontario think is very important.

They suddenly have this epiphany, after laying off thousands upon thousands of people at the Ministry of Natural Resources and the Ministry of the Environment, to ensure that we have clean air, clean water, and development that does not adversely affect our living environment. Now, at the 11th hour, as they walk into an election, they get religion. I at least have to give them some kudos for the kind of religion they've chosen, because they've taken the member for Algoma's bill, an NDP bill, and claimed it as one of their own. Better late than never, say I. But why they have to insist on wasting our time today on this 37th motion on time allocation is beyond me, especially when we have so many other important bills, particularly the Child and Family Services Act, among others. There is a list I could go through.

I stand here participating in a debate that I don't understand why we're having, about a bill there was already all-party agreement on, yet we're dealing with this situation. I'm going to vote against the time allocation motion. I think it's wrong, I think it's an abuse of the process, and I'm confounded on why it's here in the first instance.

Mr Christopherson: I want to pick up on some of the comments of the member for Algoma, who is our House leader in addition to being our critic for education and training. As we have pointed out, he is the real author of Bill 82. Although the government mentions it in passing, I ask anyone to take a look at the difference between the amount of credit we were willing to give last evening to the member for Wellington, Ted Arnott, for the work he did in correcting the damage this government did to volunteer firefighters when they rammed through Bill 99 without adequate public hearings, and the sparse amount of credit the government is prepared to give to Bud Wildman.

They like to talk about fairness, but they aren't prepared to be fair when it comes to their turn. I ask anyone to take a look and compare the differences. It's in

Hansard; it can be looked at. Only grudgingly and when necessary will this government acknowledge that this isn't their bill, that they put their name on it, but the idea and the intent come from the member for Algoma, almost word for word in most places. We will support the bill, but in the interests of fairness, acknowledge in a fair manner that this really is the bill of the member for Algoma and that you have adopted it as a government bill to move it through during government time — which is fine, but give him the credit he's due on this, since quite frankly it's one of the few, if not the only positive piece of environmental legislation you've introduced in your entire history.

When we talk about the motion that's before us, which is the time allocation, we all on this side of the House ask ourselves, why is it being time-allocated? We're in support of it. Why the need to use the heavy sledgehammer of time allocation, which basically muzzles democracy? It says that at 6 o'clock tonight debate on this bill ends, it's over, that's it. Why, you ask yourself, aside from the fact that they just are not democrats at heart? I say that with a small "d." They are not democratic by nature. As much as they like to talk about it, they aren't.

1740

By way of proving that, take a look at their history. My colleague from Algoma, our House leader, pointed out a number of bills where they've rammed legislation through using time allocation. I point out that he mentioned that Bill 7 was time-allocated, and the damage it did to working people and their rights in this province. I'd like to expand on that and further point out that not only did they time-allocate it, but they denied the people of Ontario any public hearings, not just a decent amount of public hearings, but none. This wasn't an amendment only to the Ontario legislation, Bill 7, not the Employment Standards Act, the Ontario Labour Relations Act — the Employment Standards Act is a different complaint I have, which I think was also, at the end of the day, time-allocated but I'm going from memory on that. Certainly, Bill 7, that gave us a brand new Ontario Labour Relations Act in total, from front to back.

Mr John R. Baird (Nepean): You couldn't find enough people to speak about that. You went home early.

Mr Christopherson: The former parliamentary assistant to the Minister of Labour, the member for Nepean, is heckling. When I'm talking about Bill 7, I would think you'd be the last person in this House to heckle. While he won't say it in this House, I've got to believe that being a reasonable and fair-minded parliamentarian, he's very embarrassed by the fact that he had to carry the can and try to justify why the people of Ontario got no say — none. So it wasn't just time-allocated. It's not just that we were muzzled in here, but a brand new Ontario Labour Relations Act was rammed through this Legislature using time allocation but denying the people of Ontario —

Interjection.

The Acting Speaker: Member for Nepean, order, please.

Mr Christopherson: — not allowing them even one minute of public hearings. That bill was rammed through in less than a month, and in addition to bringing us the ugly display of scabs being legalized again, you also caused the OPSEU strike as a result of that bill, because in there, as much as we could never get it past the media that this wasn't just the issue of our Bill 40 that they were repealing, that it took away rights from workers that they didn't campaign on — it's not in the Common Sense Revolution; they didn't talk about it in the campaign. But once they got power, within a few months of assuming power, yes, they repealed Bill 40 and gave us back the ugliness of scabs, but they also took away the right of OPSEU workers — people who work for the public sector, workers no different from anyone in the private sector in terms of a worker is a worker is a worker, someone who offers their labours and abilities for wages and benefits — to have seniority, to have their benefits and wage levels maintained, to have their collective agreement maintained when you privatized those parts of the public service that you have. That's the kind of history you've got.

We can spend an evening talking about what happened to Bill 26. This is the third anniversary. It was almost three years to the day when we literally had to hijack this House in order to force you to give the people of Ontario at least some opportunity to have a say on Bill 26.

Mr John Gerretsen (Kingston and The Islands): The Liberals did, Alvin Curling.

Mr Christopherson: Yes, Alvin Curling, the member from Scarborough —

Mrs Marion Boyd (London Centre): Who couldn't have managed without our idea.

Mr Christopherson: I was going to get to that point. What's his riding?

Mr Gerretsen: Scarborough North.

Mr Christopherson: Scarborough North. Absolutely, he was the member, but let's also put on the record that it was an NDP plan and that we coordinated it in the back lobby and it couldn't have been done — quite frankly, it wouldn't have had the public support it did — had it not been a unified opposition. But my point is —

Mr Gerretsen: You're revising history.

The Acting Speaker: Order, please.

Mr Christopherson: My point is, that was all about standing for democracy in the face of this government's anti-democratic measures. The biggest omnibus bill in the history of Ontario and you introduced it a couple of weeks before Christmas, just about exactly the time we stand here now, and you said it was going to be law by the end of that session. Disgraceful, given the fact that Bill 26, among other things, created the Health Services Restructuring Commission, which either is in or has moved into all our communities and is shutting down hospitals.

That's your legacy of democracy, and you wonder why we make such a bill deal of it? Because democracy is a big deal. You may think that because you consulted with people during the course of an election over three and a half years ago you now have the divine right to rule as you

deem for the whole time of your majority government. That's not the way parliamentary systems work and it's certainly not the democratic tradition of Ontario. You've turned the democracy that we have all known and were raised with on its head and are attempting to kick it into oblivion.

Yesterday you introduced your balanced budget legislation. I have no doubt at the end of the day that there will be a time allocation motion on that, as there has been on every single bill since you changed the rules, virtually every bill, other than the ones where we've given unanimous consent because of some kind of urgency, and that was only because we agreed with the legislation and that it had to move quickly. Other than that, it's time allocation, and this balanced budget legislation is going to be no different. I suspect the Liberals will vote against the time allocation motion and they'll speak against it, but at the end of the day of course they will support that balanced budget legislation, as they've already indicated yesterday with both their vote and their voice outside the Legislature.

People need to realize in watching that happen, as we head into the next election, that on the stuff that really matters, on the economic matters which quite frankly are the only things that matter when you start talking about health care and the environment and education and social services — those economic issues are the top priority — there's no difference between them.

Interjections.

Mr Christopherson: I knew I would touch a nerve with that, and away they go, but that is the reality. When it comes to the 30% tax scam that has lost community services in health, education, social services, environmental services, all those things that matter — the 30% tax scam is driving that — the Liberals, as much as they criticize it, are going to leave the whole thing in place, and then they're going to support the balanced budget legislation.

What does that tell you at the end of the day? It means they haven't learned the lesson of 1995. In 1995, they tried to be pretend Tories, only with a little gentler face. Remember the red book and how similar it was to the Common Sense Revolution and all the things that they talked about that were so similar to the Tories?

Interjections.

The Acting Speaker: Order, please.

Mr Christopherson: It's true, I say to the opposition members. It's absolutely true. You speak now about being opposed to things like workfare. You say you're opposed to workfare and how awful it is, how terrible, and such a blight shouldn't be seen in the province of Ontario, and what did you run on? Mandatory opportunity. Typical Liberal fence-sitting. They want it both ways.

The fact is that there can be no doubt now, watching them vote for this balanced budget legislation, that the economics of the province aren't going to change if you vote Liberal as opposed to Tory, and if the economics don't change, the other things can't change either. The Liberals can talk about how much they're going to invest

in health care and social services and education, but if they don't do something about that 30% tax scam, that \$5 billion to \$6 billion a year that we're losing, they won't have any more money to invest in those areas than the Tories have already cut out — no difference.

It's important for us to understand that the Tories and, I would argue, the Liberals say that this economic miracle that you supposedly brought forward — because, boy, you sure act like it's a miracle when you stand up and brag about it, I say to government backbenchers.

What is the reality? The reality is that for most working people, most middle-class families, they hardly even notice the tax cut. They don't even notice it in their paycheques week to week. They don't. When we start talking about who really sees it, start talking to those who have really high incomes: \$200,000, \$300,000, \$400,000 a year or more. They are getting the lion's share of that tax cut.

You know, they're not worried about health care cuts and education cuts and social services, and why not? Why aren't they worried about that? Quite frankly, at that level of income you don't need social services. You aren't going to be making an application immediately for social assistance to pay a bill that's sitting in front of you because you've got no money. That's not going to happen. You're not going to be standing in line at a food bank this Christmas. That's not going to happen.

Are you really all that worried about the public school in your neighbourhood closing? Not all that much, because you've got enough money — thanks to Mike Harris even more money — to send your kids to private school. That's fine. If you've got the money to be able to afford that and that's your decision, it's your money. But in order to pay for that, the money that comes out of the spending of the Ontario government budget means that public schools are going to close, and those who can't afford to send their kids to private school see their neighbourhood schools close.

Why isn't there the same outcry about health care from those who are fortunate enough to be among the wealthy in our province? For the simple reason that they can afford to either pay for whatever privatized services now exist — growing, by the way, in terms of the way Harris is changing all the rules. But also they can afford to send their family members off to wherever in the world is necessary to get the kind of services they want because they've got the bucks. So the immediate concern about hospitals closing down or emergency wards being overloaded or nurses being laid off doesn't affect them the same.

That's the reality, and the Liberals are buying into that. They're buying into it because they're trying to appeal to that same right-wing base that is supporting you. Let me say, who can really fault those people who are so well off that the 30% tax scam does mean thousands and thousands of dollars to them? Why wouldn't they vote for you?

1750

I'm concerned about those people who think it's going to be different under the Liberals, because the reality is, it

won't be because the economics are the same. If the economics are the same, then that means the same kind of education system that Mike Harris gives us is what the Liberals will give us. It means the health care system that Mike Harris gives us will be the same under the Liberals, and the same with social services and environment and anything that costs money.

I opened these comments talking about this economic miracle you like to talk about, and you say how much better things are. Look, let's deal with a couple of realities. One of the realities is — and this shocks people when they hear it, and it should — they talk about how well they run things and the tax cut has been such a big benefit and it has made all our communities these booming successes they talk about.

Then people in Ontario need to ask themselves, why is the credit rating for the Harris government, according to Standard and Poor, AA-? That is the rating that the Mike Harris government has, having been in power for three and a half years, and you know what? That's exactly the same credit rating that was in Ontario when they took over from our NDP government under Bob Rae, exactly the same credit rating.

What about Moody's, another internationally renowned credit agency? Moody's puts the Harris government at AA3. Again, I don't expect most Ontarians to know the difference between an AA3 and any other measurement. But what matters is, the AA3 by Moody's is exactly the same credit rating that we had under the NDP with Bob Rae.

Now ask yourselves: If you brought such a great economic miracle, how come the cost of us borrowing money and our credit rating isn't so much higher? In fact, it's not any higher that it was under the previous government. Why? I'll tell you why. If you take a look at any of these analyses that comes with these ratings, what they tell you is that the tax cut makes no economic sense. It makes political sense because it takes care of your friends, but it makes no economic sense.

In fact — now I'll really rile them up; watch this — because we wouldn't have taken \$5 billion to \$6 billion of Ontario revenue and given the largest percentage of that to the most wealthy in our province, under the NDP fiscal plan we'd have had a balanced budget. We'd have had one now. But we don't have one because you took \$5 billion to \$6 billion and gave the majority of it to the most wealthy in our province.

That's the reality, and I don't know why the Liberals are heckling. You're going to continue the same thing. You're not going to change a darn thing. You're going to vote for that balanced budget and you're going to leave that tax scam in place that hurts the middle class and the poorest and the most vulnerable and you're not going to do a damned thing, except try to appeal to their more moderate supporters because you're playing this right-wing Liberal agenda. That's the reality. That's what's going on here.

People need to understand that in the last two provincial elections the Libs were right where they are now.

They were at around 50%, give or take, and they were supposed to win the 1990 election, they were supposed to win the 1995 election. What happened? Oh, there were significantly huge majority governments after both those elections when the ballots were counted, but they weren't Liberal governments. One was an NDP government and one was a Tory government. The Liberals never moved. They started here in 1990, and they're still here.

My point in raising all this is that people, I believe, need to understand that in terms of the economics, which is what really determines how much room you've got on your health care policy, on your education policy, on your social services policy, all the services the working middle class need to have the standard of living and quality of life that has four times had Canada voted the best place in the world to live, nothing changes with the Liberals. The same economic policy stays in place.

I think the jig is up, and it was up yesterday, when you were forced to show your cards on the balanced budget legislation. The reality is that if you want an alternative, the NDP is saying that those people who earn \$80,000 or more per year can bloody well afford to go back to the 1995 level of taxation. They can afford it. They've done very well under you. We're talking about only 6% of the population. Of all the people watching, is that you? Are you making more than \$80,000 a year individually? If not, you're not who we're talking about. We're talking about that 6% who make \$80,000 a year or more.

You know what? That move on taxation alone will give us \$1.5 billion. Is that going to do everything? No. But it will allow us to take major significant steps forward in reinvesting in education, reinvesting in health care, reinvesting in social services, unlike the Liberals, who are just going to give you a carbon copy of what Mike Harris has done already.

The Acting Speaker: Mrs Marland has moved government notice of motion number 46. Is it the pleasure of the House that the motion carry?

All those in favour?

All those against?

The ayes have it.

There will be a five-minute bell.

The division bells rang from 1758 to 1803.

The Acting Speaker: All those in favour will rise one at a time.

Ayes

Baird, John R.
Barrett, Toby
Beaubien, Marcel
Boushy, Dave
Carr, Gary
Carroll, Jack
DeFaria, Carl
Ecker, Janet
Elliott, Brenda
Fisher, Barbara
Ford, Douglas B.
Fox, Gary
Galt, Doug
Gilchrist, Steve
Grimmett, Bill
Hardeman, Ernie
Harnick, Charles

Hastings, John
Hudak, Tim
Johns, Helen
Johnson, Bert
Johnson, David
Jordan, W. Leo
Kells, Morley
Klees, Frank
Leach, Al
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
Munro, Julia
Mushinski, Marilyn
Ouellette, Jerry J.
Parker, John L.
Preston, Peter

Rollins, E.J. Douglas
Ross, Lillian
Sampson, Rob
Saunderson, William
Sheehan, Frank
Smith, Bruce
Snobelen, John
Spina, Joseph
Stewart, R. Gary
Tascona, Joseph N.
Tumbull, David
Vankoughnet, Bill
Wettlaufer, Wayne
Wilson, Jim
Wood, Bob

The Acting Speaker: All those opposed will please stand one at a time.

Nays

Bartolucci, Rick
Boyd, Marion
Bradley, James J.
Brown, Michael A.
Caplan, David
Castrilli, Annamarie
Christopherson, David
Cleary, John C.

Cordiano, Joseph
Crozier, Bruce
Cullen, Alex
Gerretsen, John
Kormos, Peter
Lalonde, Jean-Marc
Lessard, Wayne
Martel, Shelley

Martin, Tony
McLeod, Lyn
Miclash, Frank
Pouliot, Gilles
Pupatello, Sandra
Ramsay, David
Wildman, Bud

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 49; the nays are 23.

The Acting Speaker: The motion is carried. It being after 6 of the clock, this House stands adjourned until 6:30 of the clock.

The House adjourned at 1806.

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of Ontario**
Second Session, 36th Parliament

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**Official Report
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(Hansard)**

**Journal
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Tuesday 15 December 1998

Mardi 15 décembre 1998

Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 15 December 1998

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 15 décembre 1998

The House met at 1831.

ORDERS OF THE DAY

LAW SOCIETY AMENDMENT ACT, 1998

LOI DE 1998 MODIFIANT LA LOI SUR LE BARREAU

Mr Harnick moved third reading of the following bill:

Bill 53, An Act to amend the Law Society Act / Projet de loi 53, Loi modifiant la Loi sur le Barreau.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): Madam Speaker, I believe we have unanimous consent to spend one hour this evening in consideration of Bill 53 and to divide the time available equally among the three recognized parties in the House.

The Acting Speaker (Ms Marilyn Churley): Is that agreed? Agreed.

Mr Frank Miclash (Kenora): On a point of order, Madam Speaker: I don't believe we have a quorum in the House.

The Acting Speaker: Clerk, could you check and see if there's a quorum, please.

Clerk at the Table (Mr Todd Decker): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The Attorney General.

Hon Mr Harnick: Thank you, Madam Speaker.

Today we proceed with the third reading of Bill 53, the Law Society Amendment Act. This bill amends the Law Society Act, which makes the Law Society of Upper Canada responsible for governing and regulating Ontario's lawyers in the public interest.

The Law Society Act has not substantially changed in more than a quarter of a century. It does not reflect current expectations of a modern, self-regulating legal profession. It is cumbersome legislation that thwarts the law society's ability to thoroughly investigate complaints and move quickly to deal with unethical and incompetent lawyers.

The law society has asked this government to give it new tools to protect the public more effectively. We have listened and have introduced Bill 53. This proposed legislation would strengthen the law society's powers to safe-

guard consumers of legal services from unethical and incompetent lawyers.

The reforms mean tougher, more exacting standards for lawyers, faster settlement of complaints and a stronger voice for the public in the law society. There would be better protection for each and every Ontarian who buys a home or prepares a will or deals with any other family, civil or criminal matter.

Ontarians today expect the highest quality of legal services. Our proposed reforms would help to satisfy those expectations by requiring lawyers to meet the highest professional competency standards.

The law society would now have real teeth to respond to public complaints more quickly, to ensure that issues are settled as early as possible and to give complainants a stronger voice in the hearing process. In short, these reforms would ensure that the law society evolves to meet changing consumer needs and community standards.

The reforms have been developed in consultation with the public. Input was sought from the major law organizations, other self-regulating professions such as physicians and accountants and consumers' groups, including the Canadian Consumer Council and the Consumers' Association of Canada.

Let me provide a brief summary of the key elements of this reform package.

First, the amendments would double the number of public representatives on the law society's governing board from four to eight. This would give the public a stronger voice in the disciplinary process and governance of the law society. As a result, the law society would be more accountable to the public.

Second, the amendments would improve the public complaints system by providing for the appointment of a new Complaints Resolution Commissioner. To ensure independence, the Complaints Resolution Commissioner would act at arm's length from the law society and would not be a practising lawyer. The commissioner would ensure that complainants are dealt with fairly, that their complaints would receive thorough attention and that minor complaints would be dealt with outside the full formal discipline process. These reforms would greatly improve service for the public.

Third, the reforms would allow the law society to regulate the quality of services provided by lawyers as well as the conduct of lawyers. The results would be tougher enforceable competency standards for lawyers and enhanced protection for the public.

Fourth, the amendments would clarify the definition of incapacity. The law society would be able to order lawyers to seek treatment or counselling for mental illness or substance abuse if they want to continue to practise law. The amendments would ensure that the law society has the same remedial powers as other self-regulating professions to deal with members who are incapacitated.

Fifth, the reforms would give the law society the clear legislative mandate it needs to thoroughly investigate complaints and require the co-operation of lawyers.

Sixth, the amendments would streamline law society hearings and appeals and divert minor administrative infractions from the formal hearing process. This would free up time and resources for more serious matters.

Finally, Bill 53 would enable law firms to form limited liability partnerships. This would permit lawyers to better compete in the increasingly competitive global marketplace for legal services. The public would continue to be protected because lawyers would need to meet more rigorous insurance standards as well as the requirements set out in the Partnerships Act.

These reforms were the topic of public hearings held on December 7 and 8 by the standing committee on administration of justice. Lawyers and non-lawyers alike appeared before the standing committee to outline the need for change and to endorse our proposed reforms.

For example, June Callwood, the noted journalist and social activist, is quoted as saying that our proposed legislation would help end public frustration with the legal profession. She said this bill would give members of the public the power to fight back, to use her words, "against the kinds of complaints driving the public crazy."

"Failure to return phone calls, failure to move a file...rudeness — all these things are highly irritating to the public," Ms Callwood said, but not actionable under current rules.

Harvey Strosberg, treasurer of the law society, said the proposed legislation is needed to deal with the minority of lawyers in Ontario who are dishonest, incapable or incompetent. In particular, Mr Strosberg told the standing committee, this bill provides the tools needed to prevent wrongdoers from "stonewalling" investigators.

Clayton Ruby heads the society's fund for client compensation. He said our proposed reforms would better enable the society to pursue lawyers for breaches of basic honesty, such as overbilling, and breaches of competency, for failing to transfer client files when requested.

Notwithstanding these strong endorsements before the standing committee, several changes were proposed. We have made several amendments that would further strengthen Bill 53.

A number of amendments deal with procedures that would be followed when the law society orders a lawyer to take a medical exam or to seek treatment for mental illness or substance abuse. For example, the amendments would permit a party to appeal interim orders for medical exams. As well, the amendments would further protect the confidentiality of medical records.

Other amendments would clarify the law society's guidelines for investigating lawyers. In particular, the secretary of the law society would need to have a reasonable suspicion before entering the business premises of a lawyer or requiring the production of documents. Further amendments would strengthen safeguards in the legislation to better protect privileged and confidential information obtained by the law society during an investigation. The law society would be prohibited from using privileged documents or information for any purpose except its investigations and any consequential proceedings.

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These safeguards would provide additional assurance that the legislation would strike an appropriate balance between protecting the public from incompetent and unethical lawyers and protecting the privacy of lawyers' clients.

In addition, I might say that there has been an amendment included so that an Attorney General who has not been a lawyer will be able to participate in the proceedings of the law society. I'm very pleased that we were able to get all-party endorsement of that recommendation in that amendment.

In concluding, I would like to emphasize that our proposed reforms would give the law society the powers it needs to govern Ontario's lawyers in the public interest. They are part of the Ministry of the Attorney General's ongoing efforts to improve the justice system for the people of this province. They are needed, they are timely and they are in the best interests of Ontarians. I urge all members of the House to support this legislation so that all Ontarians can benefit sooner from stronger consumer protection and better legal services.

Ms Annamarie Castrilli (Downsview): Let me say at the outset that we have always supported the principle of the legislation which is before us today. We would all agree in this House that it is important, in the public interest, to ensure that there are rules that provide for adequate protection of the public. No one is here to defend sleazy lawyers. No one is here to condone conduct which is unbecoming of the profession of law.

When we started out on this bill, I made certain points in this House, points that were raised by a number of constituencies. The first group was the Canadian Bar Association — Ontario, which had come forward to say, with a brief to the Attorney General, that they had some serious concern around the issues of privilege, of confidentiality, of the test that would be required to conduct investigation into lawyers' conduct; that there were provisions in the act that could, taken to their ultimate conclusion, have the draconian effect of putting some lawyers out of business.

Those particular objections might well be construed as being discountable because they're put forward by a special interest group. I'm sure the members on the other side will say that in fact it's a lawyers' group advocating for lawyers, and of course they would want fewer regulations rather than more.

If they had been the only ones who had voiced that complaint, we would have been able to dismiss them. But I read into the record during our second reading on this bill that we have a greater authority, a more impartial authority, if you wish, the privacy commissioner. I challenged the Attorney General to meet the tests set out by the privacy commissioner.

I'd like for a moment to refer to what the privacy commissioner said in a letter dated October 2, 1998. The privacy commissioner made a number of observations, the first that the bill should contain a provision recognizing that only such material as is necessary for a particular investigation ought to be collected. The reason for that is that when you investigate a particular complaint you want to make sure that it relates only to that particular file. The client who may have complained has the capacity to waive his or her privilege with respect to that particular communication and that particular set of files, but no one else has waived that privilege. It is the client's privilege to waive. It is not the law society's privilege to waive; it is not the Attorney General's privilege to waive; it isn't even a privacy commissioner's privilege to waive. It is an individual's right to waive privilege. If that privilege is not waived, there should be no way that anyone should be able to look into the very private files of a person who has not consented. That's the general gist of the first argument the privacy commissioner makes in the letter that was presented to us. You want to limit the materials obtained, and you want to make sure that, once obtained, any information is maintained securely.

I think those were very reasonable requests made on the part of the privacy commissioner, and I put those to the Attorney General as issues that needed to be resolved before we came to third reading and as we went through the public hearings. The Attorney General is quite correct: We did have hearings, people came forward, and lo and behold, many people who came forward endorsed the very positions which I'm reading, which the privacy commissioner has put forward.

The second issue the privacy commissioner put forward was that there had to be some flexibility as to whether one should investigate or not and the nature of the investigation. Subsection 49.3(1) at the time read, "The secretary shall require an investigation to be conducted." The privacy commissioner pointed out that that might be too inflexible. You do not want an investigation to be held for no apparent reason. You should have some reasonable grounds. I will say this for the Attorney General, that he did listen to those particular concerns. Although the phrase that has been changed does not say that there must be reasonable and probable grounds for an investigation, he has at least listened to the Criminal Lawyers Association in particular and others who suggested that if you're not going to have reasonable and probable, at the very least you ought to have some reasonable suspicion as a grounds.

Why is that important? Because it's not every case that needs to be investigated. We want the serious cases to go forward. We do not want frivolous complaints to be dismissed. The Attorney General rightly quoted June

Callwood and Hope Sealy, two lay benchers, or former lay benchers, who spoke so passionately at the hearings. May I say to those particular ladies, if they're listening, they were phenomenal in their characterization of the issues from a lay perspective. But they didn't address the issues we have before us and it's certainly not appropriate to characterize their comments as totally endorsing these particular provisions.

If you recall the letter, Speaker, and I'm sure you do, these were very serious points put forward. The privacy commissioner felt very strongly that those issues needed to be addressed.

During the course of the hearings we had, we were hoping that some of those issues would be dealt with. I asked repeatedly of many witnesses how they interpreted the various sections of the act that dealt with privilege, with confidentiality, with how you begin an investigation and what the rules are, pertinent to the investigation. Interestingly enough, we had many recommendations that these sections ought to be changed.

Finally, the law society came before us, and the law society was asked the very same questions by me with respect to the argument that had been put forward by the privacy commissioner. I must say that the answers were less than satisfactory. I indicated it then on the record, and I will indicate it now for the House. The law society produced a letter that was written by the privacy commissioner, dated December 3, 1998, as an endorsement of the legislation and indicating that perhaps the concerns that had been raised could be dealt with in some other fashion. In fact, if you read the letter it doesn't say that at all. What the letter says is that the office of the privacy commissioner confirms that they propose to the Deputy Attorney General "that the protection of personal information be enshrined in legislation."

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That is hardly condoning or agreeing with what's in this legislation. What it says is that it is important that the Attorney General focus his attention on the fact that there are deficiencies in this legislation, deficiencies that must be corrected in the public interest, because individuals have the right, when they go to a lawyer, to ensure that their particular files are private, that they will not be seized by third parties.

I understand the arguments that have been made and why the law society seeks to have those powers, but there has to be the right balance. There has to be a balance between the public interest and what are individual rights as well. Individual rights are a hallmark of a democratic society. I say to the Attorney General that he truly has not listened to the comments that have been made by the privacy commissioner with respect to this issue.

The privacy commissioner, in an attempt to deal with this issue, goes on to say in the letter of December 3 that she will gladly work with the law society, she understands the deficiencies, she will do what she can to work with them to ensure that there may be some regulation and some practices in place that will limit the public and individual exposure with respect to some of the powers

granted in this particular piece of legislation. She goes on to say that she would even be happy to commit the resources of her office to provide whatever assistance may be needed.

The question to ask is, why would we have to have the privacy commissioner commit resources after the fact when it has been obvious all along what some of the issues are, when those issues have been squarely put to the Attorney General, when we've dealt with them in this House, we've raised them in this House, we've raised them in committee? Here we are on third reading, and the advice of the office of a very valuable officer of the Legislative Assembly, the privacy commissioner, has been ignored with respect to this particular issue.

We presented a number of amendments to deal with the concerns of the privacy commissioner, and by and large, with the exception of one that could be characterized as similar — we wanted reasonable probable ground for investigation and the government offered reasonable suspicion — aside from that one, there really has been no accommodation. All of our amendments failed in that regard, which is really too bad, because they were thoughtful and they were intended to bring some balance to this legislation. It's unfortunate that the government did not see fit to deal with them in any serious way.

The second set of concerns that were put before us came from the committee of the major legal publishers in the province. Their concern was of a quite different nature. They were worried that with some of the changes under the act, their business would be diminished, that the legislation has the potential of creating a monopoly for the law society with regard to the publication of legal briefs.

I must say in fairness that there are different views on that. While I understand the position that's been put forward and while we presented amendments to try and deal with that particular issue, I think it's a matter of a interpretation. It may well be that under a generous interpretation that particular issue is not a thorny one. The power to distribute legal briefs does not reside in the law society, it resides in the courts, and presumably that has not changed. As I say, a generous interpretation would indicate that that has not changed under the legislation and it should not cause any difficulty.

I say this not because we are opposing the bill. The bill speaks to a very real need we have in Ontario in 1999. It's obvious that the law society needs some additional powers to deal with law into the new millennium. It's also true that there haven't been any significant changes in legislation dealing with the law society and lawyers for a very long time. It's also true that it's important on the legal profession to look at the changes in our society and to respond to those changes, because the legal profession is a self-regulating profession, and if it wishes to have the public confidence it must have a regulatory body that can do the kind of work that would give people that confidence in the legal profession.

But I raise these issues because they have not been addressed, and as I indicated in committee and as I say here again, I hope they will not be dismissed out of hand. I

hope the government will take notice of the concerns. I hope too that the law society will look at what we have said and that they will ensure that by regulation, by practice, by discussing the matter further in great detail with the privacy commissioner, they will be able to allay these very real fears.

I suspect part of the problem here is that we've had to act very quickly. We've had a whole spate of justice bills one after another when it's been relatively quiet in the justice portfolio with respect to legislation. Yet, as the House will know, in the last month we've had three bills. One we debated in third reading yesterday, another one tonight and another one yet to come. We've had committee hearings on all of those three bills. It has been a very rushed effort. It may be that, upon reflection, if the Attorney General had had more time, he would have had the opportunity to deal with these particular issues and make it a stronger bill.

But here we are. We have an imperfect bill. We have some very, very serious concerns by the privacy commissioner and you can't slough those off. They're not like the concerns of any other body or any other individual that comes before this Legislature and its committees. When the privacy commissioner speaks, it's a very serious matter. The privacy commissioner does not necessarily speak to every bill and certainly does not take the opportunity to comment in as much detail as we have here. So it serves as notice to the government that there is still much to be done and it serves as notice to the law society that if they are to maintain the image they have, and it's a well-deserved image that they act in the public interest, they have to meet the test that has been put forward in the privacy commissioner's letter.

I've been very plain about this. I've said there are some issues to be dealt with and I've said those issues must be the test and must be dealt with. To date, we've not been able to meet that test. It's really regrettable, because this could have been a bill that could have gone through even faster than we've fast-tracked it here, and with unanimity, I would say, on every point had they managed to deal with those particular issues.

And it's not such a big request. I can't imagine that the Attorney General wouldn't have at heart the best interests of individuals who deal with lawyers. I can't imagine that the Attorney General would conceive of a situation where he would put some client at risk at the expense of investigating certain other files that a lawyer may carry.

Let me just say one final point which really wasn't — it's alluded to in the letter of the privacy commissioner, but it's been raised by others; that is, that the powers the law society appears to have in the collection of data would also have the effect of putting some lawyers out of business. I alluded to this at the beginning. The way this would occur is that the law society might take a hard drive of a sole practitioner which would contain the nerve centre of the office and could take that hard drive away for a very long time. We had evidence before the committee that said, "It may be weeks before some of these documents are copied and brought back." These are very serious

charges, which need to be addressed, and I hope the law society will follow that. The law society, to their credit, attended all the hearings and I know are mindful of the concerns I'm bringing here tonight.

I want to say to the Attorney General that it's a good bill. I think everybody in general agrees that it was time we did something. You have to recognize that the practice of law has changed and, as you go into a new century, that lawyers need to be up to a certain standard. We agree with that. But I want to serve notice that you've not met the tests set out by the privacy commissioner, very serious tests, and if you're not going to do it through this legislation I hope you will do it in some other fashion, as the law society will do, as in fact the treasurer has committed himself to do. Work with the privacy commissioner to ensure that the public interest is balanced with the interests of honest members of the profession who deal in good faith.

Those are my comments for this evening. We will be supporting this legislation, with a caution.

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The Acting Speaker: Further debate?

Mrs Marion Boyd (London Centre): I'm very pleased to have an opportunity to stand on behalf of our party and indicate that we too will be supporting this bill tonight and to say how pleased we are that, in the process of the hearings, some of the issues that were raised against this bill were indeed dealt with by the Attorney General and by the law society.

The member for Downsview characterizes some of those compromises as still remaining imperfect. I know that the Canadian Bar Association, which is actually having its yearly soiree downstairs from this chamber, shares some of her concerns. I think those of us who respect and know the work of the Canadian Bar Association do not in any way want to suggest that the concerns that have been expressed are not serious concerns, that they are not brought on behalf of the members of the Canadian Bar Association and that they are not worthy of our attention.

But I need to say very clearly that the interests of the Canadian Bar Association — Ontario and the Law Society of Ontario are somewhat different. The law society is there to protect the public interest, and where the public interest is not served by the interest of counsel, by the interest of members of the bar association, the law society always has to come down on the side of the public interest. The bar association, on the other hand, has a very real obligation to represent the profession and to represent the concerns expressed by the profession and to do everything within its capacity to try to further the interests of the profession.

These are complementary bodies, not adversarial bodies, in my view. It is important to know that there has been considerable compromise reached with the amendments that were put into this bill.

The Canadian Bar Association — Ontario would tell you from their perspective it's not perfect and their hope indeed is that over time we might see where the flaws are

and there might be some possibility of some change. They're very frank about that. That is what they hope for the future.

The law society, on the other hand, feels that the protections that have been built in through the kinds of amendments that have been made, particularly around privacy issues and privilege issues, particularly around the issue of reasonable suspicion, indeed meet the serious concerns that were expressed by many lawyers when this bill was brought forward.

I think the long history of self-regulated professions tells us that it is a very difficult line to try and find the real balance between the interests of a profession and the interests of the public. I think in very good faith everyone has tried in this bill to find that line. If over time, as my colleague from Downsview suggests, it shows that indeed this isn't the perfect balance, I know that the law society, the Attorney General, whoever it may be at the time, and the Canadian Bar Association will work together again to try and see if there is a better mix.

But this particular bill, particularly with its amendments, has been a long time in the making. It has been discussed in various different ways within the confines of the law society, with successive attorneys general, with the profession itself through both the bar association and in many other fora, such as the Advocates' Society and other places where lawyers talk about their concerns about the regulation of the profession. I am quite convinced that the kind of discussion that's happened, the kind of revision that's happened over time, has indeed been entered into in good faith with the public interest in mind.

I am very pleased to see this bill come forward and to give my assurance that I support it. As a member of this Legislature, as a former Attorney General, I know how concerned the public is about the regulation of the legal profession. We sometimes make jokes that the only profession that is less revered within our society than the legal profession is in fact our profession, the political profession. We may think that's funny, but of course it's not because when we're in difficulties with the law, when we face problems that we need to take to the adjudication of a court, we need the services of a professional who is working within the clear ethical bounds of the profession.

We need to be very clear that we're not being taken advantage of as we go forward in our law case; that in fact the interests of ourselves as clients are uppermost in the mind of the counsel who is defending us in certain instances or who may be representing us as we are the plaintiff in other instances, and who of course in criminal instances has a very real responsibility with respect to our life and our freedom.

It is in our best interests, as those who need to be assured that when we seek legal services the self-regulation of the profession is going to be in the public interest, in our interest, that we have a strong Law Society Act that clearly spells out how we deal with those very few members of the profession who cross the bounds, who do not behave in a way that is in the best public interest or

in our private interest if we're the client who believes that he or she has been wronged.

It's in the interests of the profession and the interests of the public to have a very clear process whereby we can be sure that if there are complaints against the actions or, frankly, the inaction of lawyers who are acting on our behalf, there is a process that is clear, that is known, that is effective. What has happened in the past very often, because there has not been the ability of the law society to investigate complaints in a thorough way, is that many people who have attempted to complain about the kind or the level or the ethics of the service they have received do not feel that their interests have been served by the discipline process. It's a real attempt from inside the law society itself to try and come to grips with a very real public perception that the disciplinary processes within this self-regulated body have not been adequate.

I know that the Attorney General talked about this whole issue of the transfer of files. I need to tell you that I have three constituents who have had a long-standing problem with the transfer of files from one lawyer to another that has stopped their action and which the law society appears unable to deal with with the current kind of process. It's my hope that my constituents will find this a more efficacious process. That's my hope. Of course, as the member for Downsview points out, only time will tell whether this process has the effect that is certainly intended by the law society, certainly intended by the Attorney General.

None of us, as members here, and certainly not anyone who holds the office of Attorney General, wants to have a disciplinary process in the law society that doesn't work. We don't like getting those letters from constituents that outline in great detail what they believe to have been wrong with the system in terms of its service to them and know that because of the way the whole process works, they may not be able to get satisfaction out of the system.

I'm not naive enough to believe that this act is going to satisfy all those people, but I am very hopeful that the work that has been done will mean more people believe that their issues have been dealt with appropriately. I believe that when that happens, it is going to make it much more likely that people will begin to improve their whole perception of how concerned the legal profession is with its own appearance to those who are using its services. That is certainly my hope.

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I want to express to the Attorney General and to the members of the committee my appreciation for the changes to section 12 of the act. Certainly I have to confess that when I spoke at second reading on this bill, I did not realize that the effect of the proposed amendments would have meant that I, as a benchler by virtue of having been an Attorney General, because I was a layperson, would no longer be able to be a benchler. So I confess that I had misread the bill, and I am very grateful for the activities of the law society and the acquiescence of the Attorney General, that that was one of the issues that was

resolved in the amendments that have been brought forward tonight.

On the issue of the privacy commissioner and the kinds of concerns that were brought forward, I think, because of the great emphasis that was put by the member for Downsview on that issue, it's really important, because I believe I'm the last speaker on this issue on third reading, to say very clearly that I think everyone involved in the amendments to the Law Society Act took very seriously the concerns that the privacy commissioner brought forward. I think all of us here know that when you are trying your best to bring forward legislation that is meant to improve the public interest, the last thing you want to do is to create a situation where the public interest may be jeopardized with respect to the privacy issues that the privacy commissioner brought forward.

It's my belief that there has been a very strong effort made in good faith by all parties to come forward with the kinds of amendments that will ameliorate those concerns. Only time will tell, I think, and that's only fair. Certainly I know the CBAO takes the position that the compromise is not perfect, that they still have concerns, particularly around privacy issues for the attorneys involved but also for their clients, obviously, and around the issue of privilege with respect to legal advice.

My guess is that, especially in recent days, there is no one who takes more seriously than the Attorney General the issue of privilege. My sense is that there has been a real effort to come to a solution that serves both the public interest in terms of the law society and the interests of attorneys themselves, the members of the Canadian Bar Association. It isn't everything that everybody wanted, and I think that's true of most legislation that actually goes through this process and tries to build a consensus that people can live with.

Madam Speaker, we have not seen in this Legislature for some time an effort to reach a consensus that everybody can live with on very many pieces of legislation, but I would say this is one of them. I would say there has been a genuine effort to come up with a piece of legislation that, while it is not perfect in many people's eyes, is something that people can live with, can work with and can co-operate with. That is a triumph in what has been a highly adversarial Legislature, in what has been an atmosphere of win-lose rather than win-win. In that atmosphere, this bill will stand out as one of the few that the government has brought forward where it has worked with the participants involved to have a win-win situation.

I congratulate the Attorney General for having brought it forward, and I know that we will support the legislation.

The Acting Speaker: Further debate?

Mr Harnick has moved third reading of Bill 53. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

FAIRNESS FOR PROPERTY
TAXPAYERS ACT, 1998

LOI DE 1998 SUR LE TRAITEMENT
ÉQUITABLE DES CONTRIBUABLES
DES IMPÔTS FONCIERS

Mr Baird moved third reading of the following bill:

Bill 79, An Act to amend the Assessment Act, Municipal Act, Assessment Review Board Act and Education Act in respect of property taxes / Projet de loi 79, Loi modifiant la Loi sur l'évaluation foncière, la Loi sur les municipalités, la Loi sur la Commission de révision de l'évaluation foncière et la Loi sur l'éducation en ce qui concerne l'impôt foncier.

Mr John R. Baird (Nepean): I'm very pleased to have the opportunity to speak on this important piece of legislation with respect to property taxes. I'm pleased that rather than bringing in an omnibus bill on property taxes, we split this bill up into smaller pieces so that each part could be debated and given full consideration. We could have thrown education tax changes in with the reassessment; we could have thrown in the assessment of corporation stuff and just put it in one big bill. But rather than do this, we wanted to split the bill up into smaller parts so it could get ample debate and consideration by the Legislature — another example where the Harris government has gone above and beyond the call to ensure that the bills in this place are debated appropriately and democratically.

I'm pleased to speak to this important bill with respect to property taxes. The government is moving forward with an agenda on property tax reform to try to bring more fairness and equity into the system. It's a very difficult task. If it was an easy task, I suggest that a government would have done it many years ago. There's a reason why successive governments of all political stripes avoided dealing with this issue: because it's a tough issue. This government has had the courage to deal with these important issues.

As we move forward with these changes, we brought in a number of tools for municipalities to ensure that small businesses in the province of Ontario were protected and that they could handle these changes in an orderly fashion. Why were we so concerned about small business? Because small business is the economic engine of Ontario. We've seen small business create 80% of the net new jobs in Ontario. That's 460,000 net new jobs, and small business has led the way in Ontario. We want to ensure their continued health.

The tools the government provided in the review of assessment were designed to ensure that municipalities could meet their local circumstances. I want to congratulate some municipalities. Your own municipality of Toronto, Madam Speaker, used one of the tools, the 2.5% cap, and was able to ensure that it could manage the changes for small business. They did a good job for small business. Other municipalities made a sincere effort; certainly in my home community of Ottawa-Carleton, or Hamilton-Wentworth or Wellington county, the upper-tier

municipality used some of the tools to try to ensure that small business could deal with the changes in assessment.

Madam Speaker, you will be shocked, I know, to learn that a majority of municipalities didn't use any of the tools. Not that they used some and not enough, but a majority of municipalities didn't use any tools, and they were prepared to let small business rot on the vine.

I'm going to tell you, in this caucus there is a strong group of men and women who are advocates on behalf of small business. Many of my own caucus colleagues operated a small business or a medium-sized enterprise from time to time. When I look at who's here tonight, I know the member for Etobicoke-Humber was a very successful small business person and then a medium-sized business person, and was able to create a lot of jobs. A lot of families were able to put food on the table as a result of jobs he created in Etobicoke. He is an outspoken advocate for small business, as is the member for York-Mackenzie. The member for Middlesex is always talking about the important role small business plays in his community, as is the member for Sarnia.

We simply weren't prepared to stand by, so what we're doing with this piece of legislation is ensuring that no business, small business particularly, in Ontario has to deal with an increase of more than 10% or 5% or 5%. That's very important.

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Mr Bud Wildman (Algoma): This is an admirable effort to turn a sow's ear into a silk purse.

Mr Baird: The member opposite talks about the purse. Some municipalities want to dig deeper into that purse and allow small business to simply pay more. But in my own community of Ottawa-Carleton, I heard from a lot of small business people, people who operate out of the Richmond mall in the village of Richmond, not far from Bells Corners where I'm from. A lot of these small business people struggle to make ends meet. You often have two or three members of a family working and bringing in as little as \$30,000 or \$40,000 net income. If they're whacked with a \$20,000 or \$30,000 property tax increase, they're just going to turn in the keys and are not going to continue to employ people. So we're stepping in to ensure that small business is protected, and that's an important priority.

I'd also indicate at this time that I will be sharing my time with the hard-working member for Etobicoke-Rexdale.

I want to talk a little about our experience in committee. We dealt with this bill clause-by-clause in committee. We even finished before the allotted time expired, so we were able to have a significant amount of debate. I want to congratulate the member for Dovercourt. He brought forward a good number of amendments, two of which were virtually accepted by the government, one word for word to a government amendment, which I know he pushed, for multi-residential property taxpayers.

The member for Dovercourt wanted to make some changes to the hard cap the city of Toronto used. The city of Toronto used a 2.5% cap, so that no business could have their taxes go up by 2.5%. The member for Dover-

court wanted to extend that to residential. But he also wanted to change the 2.5% hard cap into a 2.5% small cap, to say that the city of Toronto should have the right not just to have a small business person's taxes increase by 2.5% but that the city of Toronto should be allowed to increase taxes on commercial-industrial ratepayers. I was a bit surprised to see that, but it's an earnest belief of the member for Dovercourt that the city of Toronto should have the flexibility and the right to raise taxes.

The member for Dovercourt presented five motions on this bill, and I'd like to enumerate them so that everyone knows what we're talking about. He presented amendments 7, 8, 10, 12 and 13, which would have allowed the city of Toronto to raise property taxes. I thought the member for Dovercourt would be the only member to support these. But when there was a suggestion that the city of Toronto be allowed to raise taxes on business people, who stood up and said, "I support that," and voted in favour of the resolution? The Liberal Party. The Liberal Party of Ontario wanted to allow businesses, particularly small businesses in the city of Toronto, to be whacked by a tax increase by their council.

I agree with Mayor Lastman and council. They've said they're going to be able to keep taxes at 0% increase. They've told the business community: "Don't worry. We're going to be able to deliver zero, zero, zero tax increases." But the Liberal Party of Ontario supported the first three amendments to sections 27 and 28 of the bill. On December 7 at 10:45, the Liberal Party voted yes to those three amendments to allow tax increases in the city of Toronto.

Hard-working small business people in the city of Toronto will be amazed to learn that the Liberals have already abandoned the taxpayer protection act pledge and want to allow the city of Toronto to raise taxes on their businesses. I was quite surprised. We voted against those five amendments because we don't think that people in businesses in the commercial-industrial section should have their taxes increased.

Mr Rick Bartolucci (Sudbury): So righteous.

Mr Baird: I'll tell you who was righteous: The member for Scarborough-Agincourt showed up. He found out that the Liberal Party had been voting for these, and he was not happy. They voted against the fifth amendment on this issue, and they did a flip-flop on the same morning in committee. They were both in favour of it and against it.

I want to talk about the truth. At 10:45 on December 7, the member for Kingston and The Islands voted for amendment 7, for amendment 8 and for amendment 10, to allow tax increases in the city of Toronto. I was there. I even wrote down the specific time. As God is my witness, the member for Dovercourt will be able to back this up. The Liberal Party believes that hard-working small business people in Toronto should get tax increases. They wanted to allow tax increases to go ahead in the city of Toronto. I was very surprised, because just yesterday I saw them vote in favour of the taxpayer protection act, and they have already flip-flopped. But then they had flip-flopped that morning, so that was very interesting.

The other tax cut that is germane to this debate — we're talking about property taxes and particularly commercial-industrial taxpayers. The government announced in the 1998 budget that we would be lowering commercial-industrial education tax rates to the provincial average. That is a significant amount of tax reduction for people who have been overtaxed for many years. In the city of Toronto that will mean a \$400-million tax cut. I know that members like the members for Etobicoke-Humber, Etobicoke-Rexdale and York East have been fighting very hard on behalf of their constituents, who have been whacked for years.

I was surprised to learn how long this had gone on. The Liberals and the NDP sat by and did nothing about this problem, but the hard-working Toronto caucus of the Conservative government under Mike Harris took action, and they'll be cutting those over the next eight years. They've already put their money where their mouth is for 1998, and I can tell you we're going to be doing it in 1999.

That didn't benefit just Toronto. It's a tax cut of 1.2% for the industrial ratepayers in Algoma district. Our good friend from Cochrane is here, the soon-to-be member for Timiskaming. Industrial taxes in his constituency will be going down by 8.5%. In the Durham region it's a 21.8% cut to industrial taxpayers. In Elgin county it's a 19.2% tax cut, and I know the member for Middlesex felt that was important for his taxpayers as well. In Ottawa-Carleton, my constituency, industrial ratepayers will be getting a 12.7% cut over the next eight years. That is good news indeed, because successive governments sat by and did absolutely nothing while tax increases went on year after year.

I know that some will say our municipal partners didn't like this bill. In fact, we got a submission from a group of municipalities, and right on their index they said that the changes brought forward in legislation were manageable to small business; they used the word "manageable." I can tell you that they weren't manageable to hard-working small business people in Richmond, in Greely, in Manotick, in Ottawa-Carleton. I talked to one woman who operated a small business in Stittsville. They weren't manageable, and that's why the government stepped in to ensure that there was protection for those small business people.

If they were so manageable, a majority of municipalities didn't even try to manage, didn't even use one of the tools. That was a terrific concern for members of the government. We know that it's a tough time to be in government at any level, and we want to ensure that decisions made by municipalities don't hurt small business.

Some municipalities have done a better job than others. The city of Ottawa, under Mayor Jim Watson and Deputy Mayor Allan Higdson, has held the line on taxes this year, 0%, and it's involved making a lot of tough decisions. This is the first year that the city of Ottawa isn't going into more debt, and I congratulate the mayor, the deputy mayor and indeed the council that they're making some tough choices.

Mayor Watson has been working very constructively with this government. He has been delivering for his rate-payers. He delivered 0%. We've had some very good meetings over the last number of days with the mayor of Ottawa. The mayor has never tried to hush his desire to cut taxes. He would like to cut taxes, and if he's given the opportunity I'm sure he will. He held the line on taxes, as did Deputy Mayor Allan Higdon, and they should both have that credit.

In my constituency, in Nepean, they didn't just freeze taxes, but councillors like Jan Harder and Wayne Phillips actually cut property taxes by 2%. That certainly merits support.

Mr Jean-Marc Lalonde (Prescott and Russell): Don't say that they're satisfied.

Mr Baird: The member for Prescott and Russell holds up a letter, and I have every confidence that we're going to meet the concerns of the city of Nepean. I have met with the city of Nepean. Minister Ernie Eves and I and senior officials from the ministry have been working very closely with Bob Chiarelli and the city of Ottawa and the city of Nepean, and I'm convinced we're going to be able to work with the federal government and deliver exactly what they are looking for.

I read a great article in the clippings this morning about Bob Chiarelli lauding Mike Harris's actions on another issue, and that was indeed good to see.

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But I'll tell you, in Ottawa-Carleton they held the line on taxes too. It requires leadership from the top, just like it did in Ottawa. I'm very hopeful that the regional council in Ottawa-Carleton will not do what the regional council in Haldimand-Norfolk did, where they downloaded a 17% tax increase on the taxpayer. We're very much against municipalities that try to download on the taxpayer. We should applaud the member for Norfolk's efforts to deliver for his constituents because he's worked very hard on that issue.

We've seen a number of municipalities that have been good actors in these changes, and it's not easy. A lot of the politicians say: "Listen, this is a great opportunity. We'll just blame everything on Mike Harris and raise taxes by 17%." I'll tell you, councillors in Nepean like Jan Harder and Wayne Phillips said, "No way." The mayor of Ottawa, Jim Watson, said, "No way." The hard-working deputy mayor of Ottawa, Allan Higdon, said, "No way." Regional chair Bob Chiarelli said, "No way, we're not going to raise taxes." They kept their word because it required leadership from the top. It's indeed very good news that they were able to lead forward; that Ottawa-Carleton was able to ensure there was no downloading on the taxpayer in 1998. I'm convinced that if they work hard on it and take some strong leadership, they'll be able to do it again, and that's indeed very good news.

I'm very pleased at this time to turn over the floor to my colleague the member for Etobicoke-Rexdale who has worked very hard on tax issues and has been a particularly outspoken advocate not just on behalf of businesses in Toronto but a big advocate on behalf of small business

and what we can do to help small business. I know he shares my commitment to the 50% cut in corporate income taxes for small business designed to help small business. I know he shares my view on the elimination of the employer health tax for small business with payrolls of less than \$400,000 because like me and the rest of my caucus colleagues he understands that small business is the job creator in Ontario, that small business is the economic engine of Canada.

Mr John Hastings (Etobicoke-Rexdale): It's interesting and intriguing to hear the perspective from the member for Nepean and how Bill 79, the Fairness for Property Taxpayers Act, has helped municipalities and small businesses in eastern Ontario and in the capital region of Ottawa. It's interesting to compare what has happened in the Ottawa-Carleton region and throughout some areas of Ontario in terms of the earlier tax techniques that were provided for in several other bills.

I would like to draw to the attention of members in this House when we were going through these dramatic changes in introducing current value assessment and how it applied to the new city of Toronto. After some initial debates between that city council and its effervescent mayor, Mel Lastman, they took hold of the tools that were available, and the one they took hold of particularly and really helped to protect small business was the 2.5% cap placed on commercially and industrially assessed properties for three years: 1998, 1999 and 2000.

It's interesting to go back and look at the historical context of why this occurred, the *modus operandi*, the rationale for these historic and dramatic changes. Why are they coming in 1998 and 1999? Why weren't they done several years earlier, as they ought to have been? Several governments did make some attempts to bring in some tax equity, some tax fairness to all types of taxpayers in the greater Toronto region. It's only the Harris government that really grappled with the issue. If you go back and look at the history of expenditures by school boards, especially the trend line from 1970, these examples demonstrate dramatically why these changes were absolutely essential; in fact, why they weren't brought in many years before.

If we start with the benchmark year of 1970, we had expenditures for education purposes raised off the local property tax in that year of approximately \$450 million. On the student enrolment side at that time, there were nearly 300,000 students in the system. So it worked out, on average, to about \$1,050 to \$1,076 per student, back 27 years ago.

By the time we arrive at 1997, when school boards in Metro Toronto were amalgamated into one, here was the resultant change in the trend line. Whereas you had \$450 million spent on student education in 1970, by 1997 the amount was up to \$2.5 billion. That's an amazing amount of expenditure increase. If you average it out in some of those middle years of the 1970s and 1980s, you're looking at well over a 15% annualized budgetary tax increase. No wonder commercial and industrial taxpayers, let alone residential, were at the end of their tether and saying: "Will this ever end? Will this ever come to a successful

fruition or are we to endure that kind of tax increase practically every year on into the future?"

What was amazing about that is that while tax expenditures for education purposes through those decades was increasing dramatically, at a 15% annualized rate at least, the number of students in the system was declining. It went from nearly 300,000 to nearly 200,000 students throughout those years. So at the end of 1997 the average cost per student in the greater Toronto region, the city of Toronto boards, was over \$7,500.

No wonder small businesses were at the end of their tether. No wonder they were looking for some dramatic tax relief. No wonder the residential taxpayers in certain parts of the old city of Toronto and even in the suburban cities were saying: "Halt. Change, please. Give us some tax relief from this enduring, unending tax regime we've had."

That's why we had discussions whenever you'd go to doors, whether it was in a municipal election or in the provincial election of three and a half years ago, the question being, "When are you people going to remove the education costs off property tax?" We did that. We eliminated 50% of it in terms of the realignment. What had happened over all those years? Not much in terms of tax relief.

In fact, members opposite I'm sure would like to recall with great delight and glee that in 1989 Bob Nixon, the Treasurer in those days, introduced an interesting twist on things which really helped the hotel industry in the greater Toronto area. They slapped the commercial concentration tax on hotel properties. That was a brilliant move. What it did was kill jobs. I had lots of phone calls as a municipal councillor in those days saying to me, "John, I got my walking papers," because at that point as well we had the business cycle coming into parallel with that dreaded commercial concentration tax.

We had room utilization rates in the hotel industry on the hotel strip in Etobicoke down to below 50%. How can you operate a hotel of 400 or 500 rooms when your room utilization rate is 50% or less? As a manager, you obviously have to take the dreaded and unfortunate step of letting some people go. That's what happened out of that massive job-killer tax brought on by Mr Nixon et al.

When these people across the way talk about keeping things pretty well as they are, or, "Don't make much change in the current value assessment system," all we have to do is look at not only those dramatic expenditure increases by the education community over those years but also by municipalities. They were not as dramatic and not every year on a 15% annualized budgetary rate increase but it still had an accumulative impact on the residential, industrial and commercial.

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They finally got to the point where people were leaving, and that was part of the history. We're still living it in the new city of Toronto or the old Metro where people simply moved their businesses lock, stock and barrel across a municipal boundary line into Pickering, Vaughan or Mississauga. All you had to do was look at the economics. If

your square footage was approximately \$4.50 per square foot in those days within the city of Toronto and they could find a comparable, better, newer location in the adjoining municipalities, you were going to lose those essential taxpayers and you were going to lose the jobs that accompany them.

What happened during the 1980s and the 1990s? Even today we're still suffering from the afterflow of those impacts. We had people move because the square footage was less than \$2, \$2.50 in some places. I'm sure in 1998, with the economy revived, those numbers have narrowed, but those people made their decision about moving in the 1990s and the late 1980s and they moved.

All you had to do was drive around the greater Toronto area, particularly in Metro, and you would see the industrial-commercial areas decimated, for sale, for lease. We still have those signs because there are other complications that need to be dealt with, but at least we have finally arrested that trend, that insufferable trend that was going on and on, and Bill 79 is one of the techniques of dealing with it.

Much as I have some disagreements with the members of the new city of Toronto council, I will give them their due credit for seizing the initiative of introducing the cap on assessment of industrial and commercial properties at 2.5% for the next three years. That is a significant move by the new city of Toronto council, led by Mayor Lastman. No one can dispute that they took hold of that initiative and they drove it home and made it a success. It relieved the anxiety of many small business people out there that tax increases were going to be 10%, 12% and 15%.

That is one of the fundamental reasons for bringing in these bills. Members opposite, though, would have continued to have the same situation. Perhaps if the Libs had won in 1990, you would have had an extension of the commercial concentration tax to other types of commercial properties throughout Ontario. That would really have helped revive the economy.

In essence, what we have are members opposite who often recite the eight bills because they don't have any real policy solutions of their own. In fact they don't even advocate the locational unit tax any more. I thought they'd at least do that. It has some merit in some parts of the world. In essence, what we have are members opposite who are opposed to practically every one of these bills, particularly Bill 79.

What the member for Nepean cites is not surprising, the number of changes and amendments made by the members opposite, particularly members of the official opposition. It would seem they have more positions than the Kama Sutra advocates. You never know what their position is from moment to moment. They end up, in my estimation, as being simply champions of tax injustice, tax discrimination, tax inequity and the tax status quo, assuming that everything was OK. "Let the people in the suburban municipalities continue to pay what they've been paying since 1953. Everything was just fine," because

they don't have any new, specific alternative position. They don't even advocate the locational tax.

What I'm sure we're about to hear is the mantra of: "If you hadn't brought any of these bills in, everything would have been fine. You didn't need to bring any of the bills in because you didn't listen to groups." That's not true. The number of hours involved in consultation one could almost describe as endless.

In essence, what they advocate is keeping everything the way it was, because that was comfortable, that was nice, and it helped certain people continue to have ongoing tax relief on properties that had been assessed back in 1940. I can't imagine why they would champion such a position, but that seems to be the conclusion they come to when you look at their record on all these bills.

Or they cite a particular group who have a certain expertise in this area, because they don't have the expertise themselves. They don't want to recognize the problems that came out of that historical reality of those tax increases, 17% annually, for years. If they were there, they would be going on today. So thank goodness we managed to arrest and change that trend line so that we can now have a healthier, competitive economy, much as they would like to have it the reverse way and leave everything as the traditional status quo.

The Acting Speaker: Questions and comments?

M. Lalonde: C'est presque incroyable d'entendre les députés de Nepean et d'Etobicoke-Rexdale arriver avec ces commentaires. Je ne crois pas qu'ils aient lu le document à fond. Lorsqu'on s'aperçoit qu'on nous dit que les petites entreprises vont bénéficier, qu'est-ce qui attend les petites entreprises en l'an 2001 ?

On nous dit actuellement qu'ils vont avoir une réduction. Ils vont avoir une réduction pourquoi ? Dans les secteurs ruraux seulement dans ma circonscription, j'ai trois conseils de comté. On va partager les augmentations, et ceux qui n'ont pas eu d'augmentation vont maintenant «bénéficier», qu'on pourrait dire, d'une augmentation. Qui aime ça, bénéficier d'une augmentation ?

Dans la ville de Toronto, c'est vrai qu'ils y ont eu seulement 2,5 % d'augmentation, mais est-ce que le gouvernement Harris ne leur a pas donné un prêt d'au-delà de 150 \$ millions sans intérêt ? Toutes les municipalités de l'Ontario auraient aimé recevoir un cadeau de la sorte. Je crois qu'il est grandement temps qu'ils disent la vérité aux citoyens et citoyennes de l'Ontario, en leur disant exactement ce que vont devenir les augmentations de taxe en l'an 2001.

L'augmentation de l'évaluation de cette année, qu'on veut retarder à l'an 2001, parlons à tous les greffiers administrateurs. Ils ne savent pas où se garrocher. Il y a un manque d'argent dans le moment pour en arriver au bout. On prend une peine d'écrire dans le projet de loi que les municipalités vont pouvoir passer un règlement disant que oui ou non, on va accepter qu'il y ait de l'intérêt de chargé sur les montants d'argent non payés. Qu'attendez-vous ce qui va arriver lorsqu'on regarde deux comtés, l'un à côté de l'autre qui vont dire : «Lui, il a eu un règlement qui a été passé dans cette municipalité qui dit que tu n'as

pas besoin de payer les intérêts, et l'autre va payer les intérêts»? C'est la guerre.

Ms Shelley Martel (Sudbury East): It's a pleasure to respond to the comments that have been made by the Conservatives.

With respect to the comments made by the member for Nepean, he talked about how this government had bestowed upon a number of municipalities the tools they needed to get the job done and went on at some length about how Mayor Lastman had used these tools.

I am reminded, Madam Speaker, that it was in fact you and the Chinese business community, the Chinese chamber of commerce, who took to the streets with your placards, who kick-started a number of protests with a number of other businesses here in the city of Toronto. It was only because you and these communities embarrassed this government that the government finally responded and put in place through legislation some of the tools that are now going to allow for the cap that's going to help some of those businesses. This wasn't anything the government did on their own, some gracious activity or act that they bestowed upon people. In fact, it took a lot of public protest, a lot of feet, a lot of embarrassment to get them to move. The fact that you were successful, Madam Speaker, clearly was demonstrated by the fact that the finance minister made this announcement right in your own riding of Riverdale. So congratulations on that.

One thing I didn't hear the government members talk about tonight was the gross incompetence of this government in dealing with so-called property tax reform. Beginning in January 1997, this government started down the road to try and allegedly reform property taxes, and we are here, seven bills later, trying to fix the mess this government made when they introduced their first bill. They didn't listen to anyone with respect to how to do this. We are here debating third reading of a bill to fix yet another mistake made by this government when they went down this road.

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Mr Doug Galt (Northumberland): My compliments to the member for Nepean and also the member for Etobicoke-Rexdale for two excellent 15-minute presentations.

I also heard the member for Sudbury East and some of her talk about tax cuts. Well, our government stood for tax cuts long before the election. We still stand for tax cuts, and that's where it's going to continue. I think it's rather ironic that the member for Sudbury East would be talking about this kind of thing; a party that stands for tax increases, for tax, spend, and borrow, and she would be coming out with that kind of comment. This was a government that came out with disentanglement and then let it die on the order paper rather than carry it out. We carried it out.

Mr Len Wood (Cochrane North): What about that Harris hush money? What about that \$600,000?

The Acting Speaker: Order, member for Cochrane North.

Mr Galt: It was interesting to note also that the member for Nepean talked about how we brought this in one step at a time. We didn't bring in this property tax in one great, big omnibus bill, as maybe some previous governments have done that we're quite familiar with in this House.

This bill is about helping small business. I saw the tears of some of the owners of small business as their taxes went up. There was no reason for that. The options were there, the tools were there that the various municipalities could have adopted. There was no necessity at all for that kind of increase. Certainly this bill is recognizing it with a matter of 10% plus 5% plus 5% over three years. That's understandable. It might even have been slightly higher and it would have been understandable, but 10-5-5 is indeed very workable in my community and for most. I've had a lot of people in small business come up to me — for example, Hoselton Studios, the ones who make those beautiful aluminum geese that sit on a stone. You see them in all the gift shops. They are just south of the Big Apple on Percy Street there, the exit into Colborne. That's where they are made. That man, Mr Hoselton, came up to me pretty appreciative of what we've been doing for him.

Mr David Caplan (Oriole): It's interesting to listen to the two speeches that we've just heard. We had a bit of a history lesson and a retrospective.

I did some checking on my own, and it seems that in the then borough of East York, our present education minister used to be the mayor there. Over the period that he was mayor, taxes increased 106%. Can you believe it? Dave Johnson raised taxes in a 10-year period 106%.

Mr Baird: He gets the silver medal. David Peterson gets the gold medal; Elinor gets the gold medal.

The Acting Speaker: Member for Nepean, come to order.

Mr Caplan: To be fair, I checked out the board of education, and it was virtually identical. So the record of this government, of these members, when it comes to tax increases — it's public — is different than what they are talking now.

These so-called tools that they are providing — you'd think they would get it right the first time, but they didn't get it right that time, or the second or the third. We're on the seventh attempt at property tax reform.

We've heard groups like the municipal clerks and treasurers. This is not a political group; these are the people, dedicated professionals, who have to implement the decisions made by this Legislature. What did they say? They said: "Stop. You're making a mistake. What you're doing is causing chaos." Sure enough, that's what we've seen: 600% property tax increases for small businesses; homeowners' property taxes going through the roof.

These guys have done that. This is Mike Harris's Ontario. You go from one crisis to another. You see that 106% is the Minister of Education's municipal record; 600% is the record of this government.

M. Baird : Je voudrais remercier mes collègues les députés de Prescott et Russell, Sudbury-Est, Northumberland et Oriole. À mon collègue le député de Prescott et

Russell, je suis sûr que les municipalités dans ma région, dans Nepean et Ottawa et Ottawa-Carleton, vont s'assurer que les petites entreprises seront protégées avec les augmentations de taxes.

Le député devrait mettre sa machine pour traduire mon français.

I'm sure the municipalities in our region will be able to ensure that small municipalities are protected.

The member for Sudbury East talked about "seven bills later." The member for Sudbury East would probably have preferred that we put this all in a big omnibus bill rather than bringing forward the legislation in a number of small, bite-sized pieces. We brought forward one piece of legislation dealing with the education tax. She would probably have preferred that we just threw this in with the rest. We brought in another piece of legislation dealing with the property assessment corporation. She would have just thrown that into the omnibus bill. We brought in a new assessment system. She would have thrown that in the omnibus bill. We brought in tools for small business and charities. She would have preferred that we put that in the omnibus bill.

But we disagree. We wanted there to be more debate, which is typical of the Harris government, more debate in committee, more debate in the House on important pieces of legislation. I'll tell you, the hard-working members of our caucus fought hard for small businesses, whether they be in Riverdale or whether they be in Nepean.

To the member for Northumberland, he's a passionate advocate for small business, always speaking up for his constituents, and I want to acknowledge that.

I say to the member for Oriole, I'll put the Dave Johnson record ahead of the Caplan record on spending any day, any time. Dave Johnson is a good protector of taxpayers. The member for Oriole will be surprised to learn that his party in this Legislature on December 7 voted to allow taxes to go up on small business in his riding. He'll have to go and explain that, why he was prepared to allow taxes to increase.

The Acting Speaker: Further debate?

Mr John Gerretsen (Kingston and The Islands): I'll be sharing my time with some of my colleagues as well.

There are so many places to start this debate, but let's start with some comments that were made by the member for Nepean about flip-flopping. There was a very interesting article by Ian Urquhart this weekend — I don't know how many of you saw this article — about who has been doing the flip-flopping. Let's just see. Some of these flip-flops we even agree with because we didn't want you to implement these policies in the first place, but let's just look at it.

School closings: Remember there were about 600 schools you were going to close around the province?

Mr Baird: Six hundred?

Mr Gerretsen: About 600 schools, that's right. What did you do? You decided to hold D-Day off a little bit longer, as far as your policies are concerned, by putting in another \$236 million, allowing the people of Ontario to think that somehow you weren't going to implement the

same policies if you got elected the next time around. There's a flip-flop.

How about another one? Remember instructional time in Bill 160? The instructional time was supposed to be 1,250 minutes a week. What happened? You changed it so that nobody really knows what instructional time is any more. Better still, you never should have gotten involved in this issue. You should have just left it to local school boards to decide. They could work it out with the teachers' federations, but it's another flip-flop on your side.

How about the red light cameras? Can you think of a better one? The minister was in the House here on a day-to-day basis when the member for Oakwood and various other people brought up the idea: "How about installing some red light cameras? Isn't that a perfect way to save lives, to stop the people who rush through red lights without stopping, causing all sorts of havoc?" What did you do? You flip-flopped. Mind you, with some of these flip-flops we agree, because you never should have implemented or even brought forward the policies you did in the first place.

Interjection: What other ones?

Mr Gerretsen: Another one? How about the apprenticeship bill? What did you do with the apprenticeship bill, that draconian piece of legislation? You decided to exempt the construction workers, probably the greatest number of workers affected by this legislation.

How about another one? Property taxes. That's the one where you were going to implement market value assessment. Talk to any assessor out there and the first thing they will agree upon is that the system that will be adopted as a result of this bill will not be anything like market value assessment. You've set up so many categories, so many subcategories, that this is not market value assessment, no matter how you try to cut it. You think it is. Your own members campaigned against it, but it's not.

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Let me just tell you a few other things which I find kind of interesting. You talk about the amount of debate we've had on this bill, the amount of debate we've had in committee on this bill. The record should clearly show that there was absolutely no debate in committee. As a matter of fact, you did not even want to hear from the experts who deal with these issues on a day-to-day basis. You didn't want to hear from one expert in this area. I will be referring to the brief they filed with the committee and with us a little later on.

We have heard a lot in this House over the last month and a half to two months about the cost of government advertising that has so far reached somewhere in the neighbourhood of \$47 million to \$50 million. It's all just Tory propaganda. But I do hope you will put one advertisement in local newspapers over the next little while; today is December 15, so over the next 16 days. That is that you will let the taxpayers of Ontario know as soon as this bill is passed and been given royal assent that they have the right to appeal their assessment until December 31 of this year. It's a section in the act, and I sure hope that's one advertisement you will make.

The reason I say that is that people are so confused out there. At one time they were told, "You can appeal your assessment if you do it by the end of August." Then the Minister of Finance went to the annual meeting of AMO, the Association of Municipalities of Ontario, at the Royal York, and in front of over 1,500 local politicians he said, "We are going to call the House back and introduce a bill that will allow people to appeal their assessments by October 31." The House was called back; I think the bill was even presented in the House. There may have been one day of debate — I can't recall it exactly, but I think there was one day of debate. What happened? We never saw that bill again.

People phoned my office and undoubtedly the offices of many of members of the opposition and government members as well, people who wanted to appeal their assessment, and they were told: "I think you can appeal your assessment by October 31. We're not quite sure." People phoned the assessment offices throughout the province and the assessment offices quite rightly said, "We don't know what the law is going to say. We hear all sorts of rumours as well," that you could appeal it to August 31, October 31. In this bill it says December 31. I hope there is one factual ad this government will take out in the local newspapers and other media throughout the province over the next little while so that each and every property taxpayer in Ontario will know that if they don't like what their property has been assessed for, they have the right to appeal by December 31.

Remember, today is December 15. Today this bill is up for third reading. I have no idea when it's going to be given royal assent. It may very well be on December 24. How the heck are people going to find out that they have until December 31 to appeal their assessment?

The reason I'm saying this is that we have it on very good information — I don't think even the government members will argue with this — that the government itself is expecting something like 600,000 property tax assessment appeals. They are expecting one in every 10 properties to be appealed, as far as assessment is concerned. So it's important that the people of Ontario do know, once this bill is passed and given royal assent, that they will have the right to appeal. You are giving third reading to this legislation at probably the worst time of the year, when everybody's attention is focused on something entirely different.

Mr James J. Bradley (St Catharines): Was it done on purpose?

Mr Baird: No, it wasn't done on purpose.

Mr Gerretsen: The member for Nepean says it's not done on purpose. Pray tell me, sir, why did you give this bill first reading on November 5, and second reading not until December 3? This was the bill that the finance minister talked about at AMO as being the most important reason the House should be coming back in September. You wasted two and a half months before you called it and then you wasted another month after you finally gave it first reading. So at least do the decent and honourable

thing and give people notification of the fact that they can appeal their assessment before December 31.

Let me just deal with the recommendation that was put forward — and it's interesting how the government members never talk about this. We have talked about it a few times because we really feel that this is a very important piece of information. On December 2 of this year, a 20-page document dealing with this bill was delivered to the Honourable Ernie Eves and to the members of the opposition by an organization that represented the Association of Municipalities of Ontario, of which just about every municipality in Ontario is a member, and the Association of Municipal Clerks and Treasurers of Ontario. Each one of the clerks and treasurers in your own town halls and city halls belongs to this organization. And yes, most clerks and treasurers throughout the province, by a vast majority, are independent, are not partisan politicians. They don't have any partisan, political axe to grind. All they want to do is serve their municipal councils and the municipal taxpayers the best way they know how. Another organization that was involved in this brief was the Association of Municipal Tax Collectors of Ontario.

Mr Bradley: What did they say about it?

Mr Gerretsen: We'll deal with what they said about it in a minute. The fourth organization that put this brief together was the Municipal Finance Officers' Association of Ontario, an organization of the finance officers in the larger municipalities.

Let's just see what they said about Bill 79. The government likes to portray the image that this bill is all about fairness and bringing equity into the system. In actual fact, the professional municipal civil servants who work with this kind of legislation on a day-to-day basis say something else. I will not bore you with reciting the entire 15-page brief; I will just give you what they say on their summary page and then I will refer to some specific cases they refer to, which are of great importance to the people out there and hopefully to the government members. There is still hope that the government will undo the wrongs they've done in the property tax field. This is, after all, the eighth bill.

It was interesting. The member for Nepean said earlier, "The Liberals never supported us on any of these bills." You're darned right we didn't, because all the bills were flawed. We told them they were flawed; other experts told them they were flawed. What did the government do about it? Nothing. It just brought up another bill trying to fix the last bill. They were told over and over again: "You're making the same mistake. With what you're trying to do in this bill, you're not succeeding."

Let's see what they say. They say, "Bill 79...will result in taxpayer confusion and anger, and the perpetuation of inequities in assessment and taxation." Didn't we hear just now that if we pass Bill 79 there will be fairness and equity? Not as far as the tax collectors and the clerks and treasurers are concerned.

They go on to say, "Commercial ratepayers will be disadvantaged, and residential and farm ratepayers will be

unprotected from future instability of the property taxation system....

"Collectively, our associations" — those are the associations I just mentioned — "have significant concerns with Bill 79. It is imperative that the municipal tax billing process not be further delayed or complicated, as this has already resulted in tremendous costs to municipalities in 1998." Your ineptitude has cost municipalities money. This is from the independent, non-partisan source. It's not me saying it; it's the clerks and treasurers and AMO and the finance officers of Ontario saying this. "This must not be allowed to spill over into 1999. The legislative timing prevents adequate time to respond to the bill, nor to fully examine the potential impacts of the capping provisions. The government's solution to this problem will almost certainly" — and I'd like the member from Lanark to really listen to this carefully — "result in further complications, and delays, and add more confusion for beleaguered ratepayers."

2010

I ask you, what do you people have against the property taxpayers in Ontario? Why are you causing these people to suffer by bringing in such inadequate and incompetent legislation?

They go on to say, "We believe that Bill 79 will not achieve the objective of providing fairness to property taxpayers" — I'll just read that again, because I think it's a very significant line. "We believe that Bill 79 will not achieve the objective of providing fairness to property taxpayers" — and don't believe me, believe them; these are the clerks and treasurers you've got in your own town halls, your own city halls — "and will create more problems than it solves."

"Our associations remain committed to working with the government to collectively develop manageable solutions which will achieve the government's goals of fairness in property taxation."

What did you do with these people? You gave them the back of your hand. You wouldn't even meet with them to discuss the kind of solutions that they —

Mr E.J. Douglas Rollins (Quinte): That is not true.

Mr Gerretsen: You did not meet with these people. You wouldn't even let them come to committee. You wouldn't allow them half an hour with the committee. The committee was told: "You can meet on two successive days, and you will go directly into clause-by-clause, period. You are not to hear from anybody else out there." I know why you thought that, because undoubtedly not only this organization but many others would have come to you and said, "My gosh, you forgot about this, you forgot about that." I don't know why you think you know everything about the property taxation field when you have really messed it up as much as you have over the last two years.

It's interesting. They have a little chart which contradicts everything you've been saying about this bill. It starts off with, "What Bill 79 doesn't do: Bill 79 doesn't cap tax increases at 10% in 1998." Remember, your bill only does it with respect to assessment-related increases.

There are many municipalities out there, as a matter of fact most municipalities — and that was in the words of your own Treasurer here one day when he admitted that over two thirds of the municipalities in Ontario had a 5% tax increase or more, totally unrelated to assessment matters. You have been trying to create this idea that property taxes will be capped at a 10% increase, which is wrong. That's not what this bill is doing. It is only capping it with respect to a 10% increase as far as it relates to assessment, but if there were other increases in a municipality because of downloading, that is not protected in this 10% cap.

At least have the intellectual honesty to be open and frank with the people of Ontario. There is not a 10% cap for commercial property owners out there as a result of this bill. In many municipalities — we heard about Haldimand-Norfolk, for example — there is at least a 17% increase, which has nothing to do with any increase as a result of assessment. So you could have situations, as I have in my municipalities, where the assessment went down on properties and their taxes went up by 20%. It does not cap the tax increases at 10%, as you claim it does.

It also "doesn't provide protection to small business." This is not me talking; this is the clerks and treasurers talking in their brief to you of December 2, which was about the fifth or sixth time they had tried to present you with a brief on this issue, and you wouldn't meet with them at any time.

"Bill 79 doesn't target properties hardest hit. Bill 79 doesn't recognize local efforts and local solutions." Remember how some municipalities came to you? We even had resolutions in this House to work out other solutions, other than what the government thought was best, as far as you're concerned. They were also given the back of the hand. You didn't want to listen to them.

Also, "Bill 79 doesn't address rebates to charities," which is a whole other issue that maybe one of my colleagues will get involved with.

"Bill 79 doesn't provide fairness for property taxpayers." This is not the member for Kingston and The Islands speaking; this is the collective brief from the Association of Municipalities of Ontario, the Association of Municipal Clerks and Treasurers of Ontario, the Municipal Finance Officers' Association of Ontario and the Association of Municipal Tax Collectors of Ontario. That is what they are saying about your Bill 79.

What does Bill 79 do, according to these same organizations? "Bill 79 increases ratepayer confusion. Bill 79 increases the complexity of the tax system and tax calculations." We sure know about that. We now hear of all sorts of municipalities feeling the need to hire experts just to understand your legislation. This is almost too idiotic to talk about, but you were the government that was supposed to get rid of all the red tape.

It was interesting how today the Minister of Consumer and Commercial Relations tabled a red tape reduction bill. I think he must have brought every book in his library in here. He somehow wants to make the people of Ontario

believe that this stuff is going to be passed before Christmas, bringing in a bill for first reading on the second- or third-last day the House may be sitting before we recess. I hope the people of Ontario are not going to be fooled by the notion that that bill may ever see the light of day.

Mr Bradley: I hope we sit next week.

Mr Gerretsen: Maybe if we sit next week or the week after that we can do something about that bill. That is just an out-and-out publicity stunt by the minister, to come in here and make it look as if he's doing something when he's really doing nothing at all.

We have 39 minutes left. I want to leave some time for the other members, but I have a few more minutes left.

I just want to tell you what Bill 79 does, according to this organization. "Bill 79 increases municipal costs... increases the complexity of the tax system and tax calculations" — I've already dealt with that — "erodes gains in federal payments-in-lieu," which is very interesting. You are actually giving the federal government a break by passing Bill 79, which is kind of interesting, because you've been doing nothing but attacking them over the last couple of years. "Bill 79 delays current value assessment."

Finally, and then I'll turn it over to one of my colleagues, these experts say what Bill 79 should be doing. Your bill doesn't do this, but this is what Bill 79 should do. "Bill 79 should provide for specific, targeted relief," which is not happening here, member for Etobicoke-Humber. "Bill 79 should be simple and understandable."

I would like to debate the merits of the individual sections of this bill with anybody, because I don't think there's anybody in here, with all due respect to the collective knowledge in this place, who totally understands this bill.

"Bill 79 should complement local solutions and support local councils." What do you people have against local councils anyway? What makes you think you make any better solutions than the locally elected councils out there, which are just as accountable, or even more so, than you are?

"Bill 79 should arrive at caps by different means," and it "should allow for flexibility."

You have failed on every one of these scores. Don't take my word for it, because I'm a partisan politician who believes in true fairness for the taxpayers of Ontario, but take the word of these organizations, which deal with these kinds of issues on a day-to-day basis.

I would hope that the taxpayer of Ontario is not fooled by this smoke-and-mirrors show this government has put on. We give people a tax cut, but only the people at the top end benefit. The people in the \$25,000-to-\$50,000-a-year salary range benefit almost nothing. At the same time, we take some of the education costs off the property taxes, but we download a whole bunch of other costs that the province has traditionally paid so the net result is that municipalities are going to have to pay a lot more for different costs than before. Then you blame the local municipal councils when they somehow can't bring in a zero budget. So now we start blaming them.

It's really no different than the Premier in the Al McLean matter blaming everybody else, when he should be blaming the three members right from the Tory cabinet who sit on the Board of Internal Economy, who in effect authorized the \$600,000 deal, which is an absolute waste of taxpayers' money.

With that, I will turn it over to the member for Yorkview.

2020

Mr Mario Sergio (Yorkview): I'm delighted to join the debate on the seventh or eighth bill, I believe, dealing with tax reform. I think this must be the third time I have made comments on this issue. When we started with the tax reform bill, we were all hoping that finally something really worthwhile would change, which was expected from all sides, really. Unfortunately, we are here two or two and a half years later still dealing with the original issue, to bring fairness to an antiquated, unfair system. Even today, with the presentation of the seventh or eighth bill, we have the government saying, "It is fair; it is good." If it was so good, why are we here? I don't think I'm allowed to say, "What the hell are we doing here?" So I withdraw that, Mr Speaker.

If this was the case, why didn't the government listen originally to the presenters who came to the public hearings, listen to the members of the opposition, listen to those hired by the government to do the various reports? I can still see the Premier, Mr Harris, when he said, "I'm going to hire the former mayor of Scarborough, Joyce Trimmer, to do a report." She's a well-experienced, knowledgeable person. The report was handed over. What happened? Nothing. The Golden report came in — good recommendations, a good report. What happened? The government disappeared. What happened to Mr Harris? What happened to the Minister of Housing? Nothing.

Then, of course, we had Mr David Crombie, the eminence when it came to municipal affairs, tax and stuff like that. You would think the government fully intended to bring some real change to the tax system and reform it. According to the good recommendations that Mr Crombie brought forward, what happened? Nothing, absolutely nothing. You know why? The government has its own agenda, that is why. Because they had their views, they had the backroom boys telling the government as soon as it was elected, telling the Premier, Mr Harris: "You have to do it this way. Don't listen to the people who really mean it," who knew what to recommend, who knew how to make a difference, who knew how to bring about fair changes. No. What did they do? They listened to the consultants, those well-paid, expensively lobbyists. That is why we are here today, and we are still in a mess. The ones to really take the brunt of this are the small business people and the taxpayers of Ontario.

What I can't face from this side of the House is the Premier of our province, the one who is supposed to be saying to our people, "What I'm going to bring about will make a positive difference," telling the seniors that if they can't afford the increases, they can put a mortgage on their house. Could you do that? Would you do that to the

seniors in your community? You wouldn't do that to the seniors in your community. I don't think any member of the government — there are really good, reasonable members on the government side, who wouldn't be facing the seniors in their communities and saying, "If you can't really afford the increase, go ahead and put on a reverse mortgage." That is what came immediately after the government approved the first and second and third — I think the mess started with Bill 106.

Then we hear people such as the member for Nepean say: "You know what? We have given the various municipalities the tools to do exactly what they should have done." They gave the municipalities two tools: One was to increase taxes; the other one was to cut services. When you don't have any more money because of the irresponsibility and the incompetence of this government, when they downloaded on to municipalities all kinds of new services and responsibilities that they didn't have before, along with more cuts in transfers, you tell me how the local councils, the local municipalities, will continue to provide the same services at the same rate — impossible.

We were not the only ones telling the minister that, or the Premier or the Minister of Finance. When they came to make a presentation at the committee, they said, "We believe taxes are going to go down." "By how much, Mr Minister?" "I would say at least by 10%." Those were the comments of Minister Leach when he came to make a presentation. I was there; I was attending the committee. People were saying: "What the heck is he saying? No one is saying taxes are going to come down, yet the minister is saying taxes should be coming down." Seven bills later, this proves that the government was wrong. They are still wrong, and the people out there were right. Organizations such as the Association of Municipal Clerks and Treasurers of Ontario were saying, "For heaven's sake, don't do that, because if you do that this will be unmanageable, impossible to implement, and it's going to create total chaos."

What happened? Why do we have this latest bill here? Because when the roof collapsed, the business people in Metropolitan Toronto — that's where it started — took to the streets and said: "You want to close our doors? You want to kick us out on to the streets? Then we're going to hit the streets and block every artery here in Metro." Then we had the Minister of Finance say with so much pomp, "I'm here to announce that we're going to have a cap on tax increases." I don't remember anyone telling our small business people that they're going to be allowed a 2.5% increase in 1998, 2.5% in 1999 and 2.5% in the year 2000. In effect he has told those small business people, "You have three years to sell your equipment, sell your business and get out of here, because three years from now we're going to clobber you, and you won't have any resources then."

Then it got better. We live in Metro Toronto and we go outside. No wonder the various municipalities' clerks and reeves and mayors were saying to the Premier: "Give us the information. We have to send the tax bill." They had been waiting and waiting and waiting. You know why?

Because the government knew that when the tax bill went out, when the information was released, those municipalities would have to issue tax bills showing a 50% to 600% increase. Those figures were recognized, admitted by the Minister of Finance himself. Then, very gallantly he comes along and says: "I'm going to do something about it, because municipalities won't do anything about it. They won't use the tools we gave them, so I am going to say, "Well, you won't have a tax increase of more than 10%." Wow, isn't that nice. I wonder what other businesses or anyone else — employees — have been told by the government, "No more than 10%" for 1998, and then 5% in 1999 and 5% in the year 2000.

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This comes from a government, a Premier, a Minister of Finance, who a year ago were saying, "No tax increases." What if I were a small business person looking at my tax bill and saying, "What the heck is this, \$20,000, \$30,000, \$40,000 more than last year"? Some small businesses don't net that much profit in one year. What would you do, Mr Speaker? We heard the mayor of Markham: "Chaos in the streets. People are going to be closing." They had to do something, but still the Premier did not act in a fair way, because if they had brought in a system that would be fairer, they wouldn't be having the problems they are having today.

It is not yet a fair system. When we have members of the government saying, "Look, we did our job; we let them do it," hold it a second. What are you giving them? The tools you are giving them are unmanageable because what you have given the area municipality is a double barrel to shoot themselves with: either to increase taxes or, the other one, to lower services.

Who said that any user fee is a tax? Wasn't that Mr Harris? I think so. For the first time in the history of our province, municipalities, councils, have to charge people for using recreational facilities which were built with their tax dollars. For the first time local councils had to tell seniors, "If you want to use our recreation facilities, you have to pay a user fee."

It used to be, Mr Speaker, and I'm sure you did it many times, that you would go to one of the provincial parks, drive in, behave yourself and enjoy those wonderful recreation facilities. Not now. If you drive through the gates, you have to pay. It used to be that you would use the provincial parks according to whether you were driving a car; they used to charge \$1 a car. Now some municipalities are charging \$5 per occupant. Can you imagine a family with a couple of kids wanting to go and enjoy a local provincial park and have a picnic or something, and it's going to cost them some \$10, \$15 or \$20? Is that a tax or a user fee? I would say that in the eyes of the Premier, a user fee is a tax. It's another imposition.

Mr Mike Michlash (Kenora): There's only one taxpayer.

Mr Sergio: Yes. Isn't there only one taxpayer? I think the Premier would remember that himself.

The funny thing is that you hear from the real professional people who day after day direct the mayors and

reeves — if there still are reeves in our province — the various councillors and regional councillors. These professional bureaucrats, who on a daily basis are telling those people what to do to manage the books, to manage the finances, are telling the Premier, the Minister of Finance and the Minister of Municipal Affairs and Housing that what they are doing is wrong. Why wouldn't they listen?

The important thing, I believe, for every member of this House, for any government, is to do it right, to get it right. It baffles me especially when I hear the member for Nepean say, "We have amendments from the Liberals." I was there and I have to say that every reasonable, sensible amendment we provided, they turned down. Then they had the gall to come into the House, face the camera, speak to the people and say: "The Liberals want to increase taxes. Look at this, they want to increase taxes."

I dare the member for Nepean who spoke to produce those documents, those amendments, which were turned down at the committee level because, Mr Speaker, you know what happens when a government establishes various committees and then establishes the majority of the members on a particular committee stacked with government members. Was there a case lately where the majority of the members voted to pay \$600,000 of taxpayers' money? Those were government members.

Mr Len Wood: That's the Harris government.

Mr Sergio: Oh yes, Mr Harris is sweating, and he should be sweating because even he said it was wrong. I have to say on behalf of the people who are listening —

Mr Bradley: Did John Baird vote for that?

Mr Sergio: I believe he did. Yes, the member for Nepean voted for that.

I believe the Premier is very reasonable and sincere. He means what he says, I would say. But if he really means what he said yesterday or this morning on one of the radio shows, then he should tell his cabinet, his minister: "We made an honest mistake. We've got to pay the \$600,000 back to the people of Ontario because they are not guilty." The taxpayers of Ontario are not guilty. They want to know why they are paying \$600,000. For what? Where's the fairness?

My time is up. I have about another two hours to go, but of course we have other colleagues who want to add to this matter. This bill does not do it. Once again I'm telling the government, I'm telling the minister who isn't here tonight, take your time, do it right for the people of Ontario. I thank you for your time.

Mr Bartolucci: I'm pleased to offer a few comments on Bill 79 at third reading. I'd like to start off by telling the House and the people of Ontario that we've heard the new spin from the government tonight. As the people of Ontario know, this is the seventh attempt at getting a tax fairness component attached to this act, and again it will be a failure, for the government now is spinning the line: "We didn't want to do it in an omnibus bill. What we wanted to do was break it up."

Mr Tony Martin (Sault Ste Marie): On a point of order, Mr Speaker: I think the member for Sudbury has a

lot of important things to say. There isn't a quorum here and they should be here to hear him.

The Deputy Speaker (Mr Bert Johnson): Would you check and see if there's a quorum present.

Clerk at the Table (Mr Todd Decker): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Deputy Speaker: The Chair recognizes the member for Sudbury.

Mr Bartolucci: The new spin here is, "We wanted to get it right so we broke it up into seven parts." The reality is that they screwed up the first six and this one is no better than the previous six. There are inherent problems with this legislation and they'll manifest themselves very clearly and in a very cruel and hardened way once this act is implemented.

I might suggest, in order to start off my comments, that I review some of the comments the people at the city of Sudbury made with regard to this legislation when it was first introduced by the minister. The people at the city of Sudbury — for example, the city manager, Gary Polano, is I think user-friendly to this government. He tries to work hard with this government, not because he believes everything they say but because he wants to act in the best interests of the residents of the city of Sudbury.

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He said and his director of finance and his assistant city manager said:

"The minister's comment that municipalities did not take adequate action regarding tax policy is inappropriate. Each municipality has issues that require different solutions. The region of Sudbury and the area municipalities studied tax policy for many months with the assistance of Hemson Consulting Ltd and recommended tax policy which we deemed to be the fairest for the Sudbury region."

In other words, what Gary Polano and what Larry LaPlante, the treasurer, were saying is that the one-size-fits-all solution isn't a solution at all.

It further states that, "The provincial announcement on mandatory capping in effect introduces discrimination to the tax system." Can you imagine a government introducing discrimination to a tax system? You know, it is unbelievable and almost unconscionable that this government would stand in the House and berate municipalities for trying to be fair to their local ratepayers and at the same time introduce a system that in effect is discriminatory in tax policy. Somehow it just doesn't jibe with what the government seemed to define as common sense.

Let's leave the city for a second and go over to the region because the regional municipality of Sudbury obviously works very closely with the seven area municipalities. It had some concerns. It said that the proposed legislation does not allow for taxes to be paid on the basis of current value assessment. Well, isn't that telling. Again, these are experts in the field. They're not people elected because of a platform or for of any other reason. These are

the people who work with policies every day and that's what they're saying.

We leave the city and move to the region and from the region we go to the four associations that the member for Kingston and The Islands referred to in his opening presentation. That's the Association of Municipalities of Ontario, the Association of Municipal Clerks and Treasurers of Ontario, the Association of Municipal Tax Collectors of Ontario and the Municipal Finance Officers' Association of Ontario. What do they say about Bill 79? This is what they say Bill 79 doesn't do.

They say, "Bill 79 doesn't cap tax increases at 10% in 1998; Bill 79 doesn't provide protection to small business; Bill 79 doesn't target properties hardest hit; Bill 79 doesn't recognize local efforts and local solutions; Bill 79 doesn't address rebates to charities; Bill 79 doesn't cap business improvement area levies; Bill 79 doesn't provide fairness for property taxpayers." That last point is probably the most telling one because Bill 79 doesn't even do what its title suggests.

That's not Rick Bartolucci, Liberal member for Sudbury, talking. That's not any one of my colleagues or any member in this House. That's the four associations that work to make municipalities in Ontario function properly. Why didn't we listen to them at the very beginning? The answer to that is simple. They wanted to make a presentation but they said, "However, a government motion was passed that does not allow for any public input whatsoever at hearings on Monday, December 7."

What is the government afraid of? Why will the government not listen to the experts in the field? Why won't they listen to the expert panel on property taxes? Why repeatedly over the course of the last three and a half years has the government continually refused the advice of experts on not only this piece of legislation but every piece of legislation? The reality is that the experts have spoken. Bill 79 is not going to work. It is not going to be in the best interests of small business. It is not going to cap taxes at 10% for 1998.

The regional municipality of Sudbury decided to take pretty drastic action. It decided to pass a resolution. At its meeting on November 12 it passed the following resolution:

"Be it resolved that the regional solicitor is hereby authorized and directed to forthwith make application to the Legislature of the province of Ontario for the purpose of obtaining a private bill exempting the regional municipality of Sudbury and the area municipalities within the region of Sudbury from the provisions of Bill 79, the Fairness for Property Taxpayers Act; and

"That this resolution be forwarded to all municipalities within the region, all northern Ontario cities, the Association of Municipalities of Ontario and the Federation of Northern Ontario Municipalities."

What in essence the regional municipality did was pass a resolution saying they wanted to be exempted from Bill 79. I put forward a private member's bill entitled the Lower Property Taxes in Sudbury Act, Bill 87, and I challenged the government, I challenged the Minister of

Finance, I challenged the Premier, I challenged the members on the government side to call this bill forward because, I'll tell you something, Bill 87 repairs the problem that Bill 79 causes in Sudbury and in the regional municipality of Sudbury.

My fellow member from Hamilton East, Dominic Agostino, introduced a similar bill the next day because he wanted Hamilton exempted as well. We see and the municipalities see there is light if the government will listen. However, it has been our history with this government that they listen to no one, and because you listen to no one, you end up with the problems you have with Bill 79, the seventh attempt to get it right and it's still very wrong for everyone.

M. Lalonde : C'est avec plaisir que je prends quelques minutes qui me sont allouées pour informer les propriétaires de commerces, pour leur expliquer que sera l'impact de ce projet de loi 79 à court terme et à long terme. Nous savons que nous sommes dans le septième projet de loi, erreur après erreur après erreur sept fois. Tout d'abord le gouvernement conservateur, après avoir reconnu les erreurs qu'ils ont faites, ont apporté ce dernier projet de loi. Il faut dire que c'est le dernier projet de loi parce que dans deux jours nous allons ajourner pour les fêtes et la fin de l'année arrivera et les municipalités doivent procéder le plus tôt possible à faire les ajustements. Dans tout ce projet de loi je peux dire que les petites municipalités ou les grandes municipalités à l'intérieur des comtés unis vont être pénalisées.

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J'ai ici avec moi, et je l'ai fait parvenir à toutes les municipalités de la circonscription de Prescott et Russell, une copie du projet de loi et je leur ai demandé leurs commentaires. J'ai reçu ceux de la municipalité de Cumberland, qui fait partie d'Ottawa-Carleton mais qui fait partie aussi de ma circonscription. Je vais vous lire quelques paragraphes que la ville de Hawkesbury m'a fait parvenir :

«Selon le projet de loi, la ville devra taxer ses industries pour que la différence soit remise au comté et distribuée aux autres municipalités qui, elles, ont eu des augmentations de plus de 10 %. Étant donné que le taux de taxe industriel de notre municipalité est le plus élevé dans Prescott et Russell, nous croyons que cette surtaxe est injuste. Le projet de loi n'est pas une solution qui résoudra les problèmes de toutes les municipalités, car il cible plutôt les grandes municipalités qui ne relèvent pas des autres paliers gouvernementaux.

«Appliquer les modifications demandées par ce nouveau projet de loi sera un cauchemar administratif par lui-même. On nous demande à déterminer les évaluations de 1997, qui serviront de base pour comparer les années à venir. Mais il faut tenir compte que les logiciels comptables que nous utilisons présentement ne pourront effectuer les recherches demandées, et ces recherches engendreront des coûts supplémentaires de programmation et pourraient même aller jusqu'à provoquer la démission de nombreuses compagnies informatiques.»

Lorsque nous regardons le commentaire de cette municipalité et ensuite celui de Cumberland, je vais vous lire celui-là en anglais :

"A significant number of staff resources will be required to process, recalculate and reissue tax bills for the commercial-industrial and possibly multiresidential properties."

This is the last paragraph of a letter sent to me by Mayor Coburn of the municipality of Cumberland:

"Needless to say, some of these additional costs and resources would not have been necessary if the ministry had taken the time to run a model of the proposed tax system to see if it would actually work."

Nous connaissons ce gouvernement dans presque tous les projets de loi dans le domaine de la santé, dans le domaine de l'éducation : «Nous procédons à présenter des projets de loi sans en faire des études, et après ça ce sont les individus, les citoyens et les citoyennes de cette province, qui doivent en payer la note.»

Nous savons que l'association des greffiers et trésoriers de la province ont fait parvenir une lettre au ministre des Finances le 23 mai 1998. On a demandé au ministre des Finances de retarder le processus parce que, actuellement, aucun logiciel n'existait dans la province, même pas au Canada et même pas aux États-Unis. Donc on a fait de la sourd d'oreille et on a été d'avant.

Encore plus loin que ça, dans des discussions qui sont survenues, le ministre des Finances n'avait pas l'air de s'entendre avec le ministre des Affaires municipales. Le ministre des Affaires municipales ou les employés du ministre ont dit aux employés du ministère des Finances : «Vous devriez nous consulter. Nous connaissons les affaires municipales, et vous êtes dans les finances,» donc l'implication que la présentation de ce projet de loi a certainement eu l'effet d'une bombe à l'intérieur des deux ministères. Mais nous savons que cela s'est tenu un peu mort.

Lorsque mon collègue de Nepean dit qu'il n'y pas de problème à Nepean, j'ai deux pleines pages ici du Ottawa Citizen :

"Quantum Changes a Fiasco," and this poor gentleman, David Black, is holding a tax bill. He's facing a 6% increase. He's lucky he's only got a 6% increase. I just hope that this gentleman doesn't own a commercial establishment, because his taxes are going to go up to 10% instead of 6%. In the small municipalities of Ottawa-Carleton they will take the whole increase of all the commercial-industrial sector, they'll put it in the pot and it will be distributed evenly to all the municipalities.

C'est pour ça que la ville de Hawkesbury a dit que ce n'est pas «fair» que la municipalité avec le plus gros niveau d'évaluation commercial-industriel dans les comtés, à 21 % de l'évaluation totale des comtés unis, aujourd'hui va être pénalisée. Je regarde ce que j'ai ici avec moi : plusieurs factures qui démontrent que même avec ce projet de loi on a retardé. Il reste seulement deux journées de débats en Chambre. Je crois que le gouvernement reconnaît qu'encore là, nous n'étions pas prêts.

Je regarde ici Maxville, dans le comté de Glengarry. Plusieurs personnes seront frappées avec 400 % d'augmentation. C'est un petit village d'environ 600 personnes. Lorsque nous avons quelques commerces qui ont des augmentations de 400 %, il faut se rappeler que la loi dit que les augmentations de 1998 seront de 10 % au maximum ; 1999, 5 % ; et l'an 2000, 5 %. Qu'advendra-t-il en l'an 2001 ? On nous dit, d'après les évaluateurs, que nous allons retomber avec l'évaluation réelle qui a été placée cette année.

Dans la ville de Gloucester, une personne dit qu'elle va s'en aller devant la justice. Maintenant, pour arriver répartir le taux d'augmentation — il avait sa juste valeur d'évaluation. Maintenant, ils vont y monter d'à peu près 118 %. Est-ce que c'est juste ? Ils vont payer les taxes sur une propriété qui est inférieure au montant qu'il est alloué.

J'ai ici une autre personne, M. Laviolette de Maxville, qui nous démontrait 100 % d'augmentation de taxes.

La raison de l'augmentation de taxes — il faut se rappeler que tout ça, la manière de fonctionner, d'ajuster ça pour que ça soit fait, comme on dit souvent, à la mitaine, c'est tout fait manuel, parce qu'il y a des endroits où on a fait des agrandissements, des améliorations, et il n'y a aucun système qui existe dans le moment pour déterminer qui devrait avoir l'augmentation. Mais encore là, ce seront les petites entreprises qui vont payer la note en l'an 2001, et ceux aujourd'hui qui n'avaient pas de facture d'augmentation vont avoir une augmentation. Mais encore là, je crois que même si nous voulons le passer par jeudi, c'est encore trop tôt.

The Deputy Speaker: Comments and questions?

Mr Len Wood: I've listened for the last 60 minutes to the official opposition, the four members of the Liberal Party, pointing out a number of flaws in Bill 79. Some of them mentioned the fact that it's going to increase costs to municipalities, because they're going to have to hire extra staff in order to understand the bill.

At the same time, there's even confusion within the government benches on this, because they've had to amend or bring forward at least seven, eight, maybe nine other bills to correct the flaws that have happened as they're out there trying to change the way property taxes are paid in Ontario. The result is that a number of communities are finding out that their property taxes are going to go sky-high — 100%, 200%, some of them as high as 600% — so they've had to make big changes, and some of them are reflected in Bill 79, some of them are reflected in other bills. This caused a lot of confusion out there.

We're debating this bill at 9 o'clock tonight, when we should be debating the hush money that was spent by this government to cover up a sex scandal within the Conservative caucus — \$600,000 that went out to hire private detectives to go out and investigate women in this province. It's wrong to do that.

Also, they hired a contractor, Andersen Consulting. They went out and spent \$180 million, when they could have had this job done for probably half that money and they found no savings whatsoever. I don't know what the

payback is to the Mike Harris government on this particular one, but it's money that is being wasted at the same time as they're talking about balancing budgets and fining cabinet ministers if they make mistakes. They should pay back that \$600,000.

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Mr Baird: I listened with great interest to all the speeches of my colleagues. I listened carefully and intently to the speeches of the members. I don't think I ever heard one story about a small business person or the effect this has had on small business people. I think not to have mentioned that misses the point, because this is all about ensuring that small business people are protected, those hard-working men and women who put it all on the line every day, every week and every year, to create jobs for the people of Ontario.

The member for Kingston and The Islands did talk a good deal about flip-flops at the beginning of his speech. He didn't mention mandatory opportunity. He didn't mention their plan to get rid of the Workplace Health and Safety Agency. He didn't mention their plan to allow Toronto to increase taxes on commercial-industrial establishments, and then they flip-flopped the same morning at the same committee hearing. He didn't mention that, a flip-flop that was so bad Gerry Phillips came running in and got John Gerretsen, the member for Kingston and The Islands, to change his vote the fourth and the fifth time it came up. At least the member for Dovercourt was consistent, saying that Toronto city council should have the right to increase taxes. But he didn't mention that, nor do they mention the other flip-flops.

I remember the Liberal Party promising to get rid of the GST, only to block a Tory member's bill to take the GST off reading material. They kept the GST. I remember the Liberal Party fighting against free trade, only to expand free trade with NAFTA. I remember the Liberals saying that the helicopter deal was a bad deal and it would never go forward. I guess the order is in on the new helicopters. I remember the Liberals fighting Brian Mulroney on the public service cuts when actually the number of public servants increased by about 200. Then when Jean Chrétien was elected, they fired 45,000 public servants, a good number in my home community.

When they talk about flips and they talk about flops, the Liberal Party now flips and flops in the same morning of the same committee hearings.

Mr Bradley: I was just delighted to hear the member who is leading the charge for the government on the Board of Internal Economy where he's prepared to pay out some \$600,000, starting to lecture others about other expenditures and talking about other jurisdictions. It's phenomenal what this member will do to ingratiate himself with the Premier and that selection of close advisers to the Premier called the whiz kids.

He gives the message. Of course you've got to know what he message is. The message is — and the NDP don't want this so it's no use trying to foist it on the NDP — they're supposed to boost the NDP up and criticize the Liberals and say, "Well, at least we understand where the

NDP is," but they recognize that you give them the back of your hand whenever you have to anyway. So you're not going to fool them with these little tricks that you have for the House.

I just find it passing interesting that the member who would have so much to say about the Liberal Party was in fact the ringleader when it came to paying out the \$600,000, a part of that to pay the expenses of the former Speaker involved in a private case in Ontario.

I'm pleased that our members wanted but didn't have the chance, I guess, to mention the orgy of spending this government is engaging in on self-serving advertising. I expected that one of them might have the chance — in the limited time I guess they didn't — to mention that now we're up over \$50 million in straight self-serving government advertising, nothing else; not information, not straightforward education to people; strictly partisan, self-serving propaganda being perpetrated upon the people of this province using everybody's tax dollars, and this from the party that says they're against tax.

Ms Martel: I had an opportunity to participate in the debate on second reading and the closure motion the government moved on this bill so I suppose it's a pleasure to participate again this evening.

Two points have to be reinforced tonight. It would be interesting for someone to go back and calculate the legislative time that has been spent dealing with the various bills the government has had to bring forward as it has allegedly tried to reform the property tax system in this province. We find ourselves here, a little after 9 o'clock this evening, dealing with the seventh bill in a series of bills that have all been flawed as this government supposedly moves down the road to do something positive with respect to property taxes.

This is a classic example which clearly demonstrates how incompetent this government is. This has been a complete fiasco. The members who are in their place tonight on the government side trying to defend this, particularly the member for Nepean, should be embarrassed that we are here yet again with bill number seven trying to fix all the mistakes you have made because your government, which is the same position it holds on every other issue, knew everything there was to know about this and wouldn't listen to anyone who had any expertise who wanted to offer it and talk to you about how this might be done. Even with this bill the government messed up and the government had to move an amendment to include something that the treasurer left out when he actually introduced it. So here we are yet again spending time, wasting time, dealing with this.

Is this going to bring tax fairness to the region of Sudbury? Absolutely not. It's a scheme of robbing Peter to pay Paul. Those commercial and industrial businesses in Sudbury that would have seen a benefit are now going to get it clawed back. Who does this help? No one. But this is the sad, sordid history of all of this legislation of property tax —

The Deputy Speaker: Your time has expired. The Chair recognizes the member for Sudbury, who has two minutes to respond.

Mr Bartolucci: I'd like to thank the colleagues who offered their points, but let me tell you that this government proposing Bill 79 is the same government that spent \$600,000 in hush money to silence the Tory sex scandal. This is the same government that spent \$180 million on Andersen Consulting. This is the same government that is wasting \$50 million of taxpayers' money.

I don't think anybody believes the member for Nepean any more when he says that he and his government are protecting the money and protecting the interests of the taxpayers of Ontario. Nobody buys that any more. The members in his riding certainly don't believe that he acted in their best interests when he supported the resolution to pay \$600,000 in hush money. I don't believe that's in the best interests of Ontario taxpayers, I don't believe that \$50 million in self-serving ads is in the best interests of Ontario taxpayers and I don't believe that giving Andersen Consulting \$150 million is in the best interests of Ontario taxpayers.

I don't believe that Bill 79 will cap tax increases at 10% in 1998 and I don't believe that Bill 79 will provide protection for small business. Why don't we in the Liberal caucus believe that? Because the Association of Municipalities of Ontario told us, the Association of Municipal Clerks and Treasurers of Ontario told us that, the Association of Municipal Tax Collectors of Ontario told us that and, finally, the Municipal Finance Officers' Association of Ontario told us that. The reality is that all the experts are saying Bill 79 is wrong, but the member for Nepean is right.

The Deputy Speaker: Further debate?

Mr Wildman: I note that there are approximately eight minutes left in this debate for our caucus to participate in the debate.

Mr Joseph N. Tascona (Simcoe Centre): Oh, right.

Mr Wildman: The member says, "Oh, right," as if that's fine. This government does not believe in people being able to speak in this House. They don't believe in having true debate, full debate on measures in this House, and that's why they continually bring in time allocation. That's why they limit debate, because they don't want to hear opposition; they don't want to hear opposing voices. It's OK to cut off the opposition. It's fine even when we have this kind of fiasco we have before us in this House when we're dealing with property taxes. This is the seventh bill that this government has imposed on the taxpayers of this province because they can't get it right. They don't know how to do it.

It's ridiculous that in introducing this legislation at the beginning of the debate, the member for Nepean said, "Oh well, this was all planned, this is the way we intended it." They didn't want to bring in an omnibus bill in the beginning. They intended to break it up into small parts so they could deal with it piecemeal. The fact is that every time this government has introduced legislation in this area,

every time they've got it wrong, every time they've had to come back because what they intended to do didn't work.

The fact is that here we are the seventh time around and every time they've cut off debate. Every time they forced debate through, every time because they don't want to hear opposing views, and, as a result of that, because they don't want to have full debate, they get it wrong because they don't have the opportunity.

The member for Simcoe East savours the opportunity to cut off debate because he doesn't believe in debate. He doesn't believe in parliamentary democracy. Just ram it through. Get the railroads running on time.

Interjection: I think I've heard that before.

Mr Wildman: That was used I believe in the 1930s by another regime of a similar ilk perhaps.

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Mr Baird: That's really offensive, Bud.

Mr Wildman: I think it's offensive that I only have seven minutes to put forward our position.

Mr Hastings: Mr Speaker, I'd like to raise a point of order regarding the member for Algoma's remarks about getting the railways running on time. We know where that particular phrase comes from. It's a most odious phrase and it suggests a certain racist overtone. I request that the member withdraw that particular phrase. It's most odious in its comparison.

The Deputy Speaker: The reference to railroads running on time may have had some meaning that I didn't take in it, but in the town I grew up in —

Mr Hastings: Mr Speaker, if I could elaborate further —

The Deputy Speaker: No, you may not. I'm sorry. I'm addressing your point of order on the railroads running on time. I grew up in a little place called Moorefield, and the 11:05 was right on time. I don't see any meaning other than that it's just running on time. I would ask the member for Algoma to continue, please.

Mr Wildman: Was the clock cut off for that silly little exchange?

Hon Jim Wilson (Minister of Energy, Science and Technology): Point of order, Mr Speaker: As the minister in this House tonight, I want to speak on behalf of the government. The member for Algoma knows that his remark was highly offensive, and I too would ask him to withdraw that. It reminds me of the brown shirts comment that was made when his —

Mr Len Wood: Sit down, you've got no point of order.

The Deputy Speaker: Member for Cochrane North, that is not acceptable. I'll not warn you again.

I'm sorry, I interrupted the member for Simcoe West. Member for Simcoe West, I did not hear your point of order.

Hon Mr Wilson: Mr Speaker, I believe the honourable member's —

Mr Wildman: Mr Speaker, in light of the time, I withdraw. The reference was not racial, it was ideological, but I withdraw it because it had reference to a Fascist regime and I wouldn't want to compare this government — even

this government — to a Fascist regime. It's unfortunate you didn't understand that.

The fact is this government has cut off debate repeatedly. It has cut off debate on 37 out of a total of 100 bills since it came into office; 37% of the time this government cuts off debate. The previous government used time allocation, it's true, 21 times in a total of five years, on a total of 163 bills, far less than this government has yet, and this government isn't finished its mandate.

This is a bill that has been repeatedly introduced because the government can't get it right, seven times over. The bill is unnecessarily complex and confusing. There are even mistakes. The government has had to amend even this bill, the seventh time around. We believe that caps are better than not having caps, but the constant changing of the legislation means there's more uncertainty. Businesses who got tax reductions this year and made plans based on these reductions will now have to write another cheque to the municipality, either now or in the very near future.

The fact is, this government can't get it right. It doesn't know how to introduce legislation and have it debated so they can hear the shortcomings of the legislation and have it amended so it's improved. Instead, we get time allocation after time allocation, bill after bill, while they try to rectify the errors they made because they wouldn't listen, because they didn't want debate. I suspect we're going to be on this another time around because they can't get it right, because they don't like to hear debate, because they don't like to hear presentations from the public. They don't want to have true, real, considered debate on issues, because they want to just get things through quickly, without real, true consideration.

Mr R. Gary Stewart (Peterborough): Thirty seconds.

Mr Wildman: There's a member who I guess just thinks it's a big joke, thinks this place doesn't matter. It's unfortunate; we now appear to have a government that thinks the Legislative Assembly is a nuisance, that debate on bills is just a waste of time and holds things up. As a result of that, we've got seven pieces of legislation repeatedly introduced by this government because they can't get it right and they won't listen to what the opposition has to say.

I tell you this: In the last week of the session, going into the Christmas break, this government has asked for co-operation to help get a number of bills through that they want to have passed and that they think will be good for the province. If they want to have co-operation, it goes both ways. It doesn't just mean a one-way street. You don't limit debate repeatedly, repeatedly, repeatedly, and expect the opposition to be co-operative. You don't say to one party in the minority in this House, "You only get seven or eight minutes on this bill," and then expect co-operation getting other things through.

The Deputy Speaker: Pursuant to the order of the House dated November 30, 1998, I'm now required to put the question.

Mr Baird has moved third reading of Bill 79. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

The motion is carried.

Shall the bill be now passed and entitled as in the motion? Agreed? Agreed.

APPRENTICESHIP AND CERTIFICATION ACT, 1998

LOI DE 1998 SUR L'APPRENTISSAGE ET LA RECONNAISSANCE PROFESSIONNELLE

Mr Smith moved third reading of the following bill:

Bill 55, An Act to revise the Trades Qualification and Apprenticeship Act / Projet de loi 55, Loi révisant la Loi sur la qualification professionnelle et l'apprentissage des gens de métier.

Mr Wayne Lessard (Windsor-Riverside): Point of order, Mr Speaker: This is another bill that's time-allocated. There's two hours of debate remaining. I'm asking that the time we have be split equally between all three parties so that we at least have an opportunity to participate meaningfully in this debate.

The Deputy Speaker (Mr Bert Johnson): Is there unanimous consent to split the two hours evenly between the three parties? I heard a no.

Mr John R. Baird (Nepean): Point of order, Mr Speaker: The government members have no objection.

Mr James J. Bradley (St Catharines): Point of order, Mr Speaker: If the government has no objection, they should take about five minutes on this and give the rest of the time to the third party.

The Deputy Speaker: Neither of those is a point of order.

Mr Bruce Smith (Middlesex): I'm pleased to have the opportunity to speak to third reading of Bill 55 this evening. In that context, I'll be sharing a portion of my time with the member for Bruce. I wish to provide to the Legislature this evening an overview of where we've been.

Mr John Gerretsen (Kingston and The Islands): If you want to keep talking, they don't get any time, simple as that.

Interjections.

The Deputy Speaker: The members for Kingston and The Islands and Nepean will come to order.

Mr Smith: I wanted to start this evening to provide some brief comments on Bill 55 and to again revisit the premise by which Bill 55 has been approached, to reacquaint ourselves with the consultation that has taken place to date and perhaps most importantly the amendments that were made to Bill 55 as a result of the public hearings and the input the government received through that process.

It's important for all members of the Legislature to realize that the premise for pursuing Bill 55 and amendments to apprenticeship in this province was to provide a new and contemporary legislative framework for apprenticeship training. Very clearly we have legislation that currently exists that's some 30 years old, that required revisiting in many cases, and certainly in that context the government placed that and viewed that as an important item for review and one that we feel very critical in terms of where we need to take apprenticeship training and training in general into the future.

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We also saw the reforms as an opportunity to attract young people to the very rewarding careers that exist in the skilled trades area, but equally to provide opportunities for people in this province who are, for whatever reason, pursuing retraining opportunities, opportunities to pursue new careers, and in that context have attempted to approach the legislation whereby we're attracting not only those young people who are making decisions about their future, but certainly those individuals who, for whatever reason, may be seeking a new area of concentration with respect to their employment.

Very clearly as well, the objective in part was to increase the number of entrants into apprenticeship. In doing so, we hope by the year 2000 to see that increase from some 11,000 individuals to 22,000.

To frame the premise in a general context, certainly the objective of the legislation was to renew a system of apprenticeship training whereby apprenticeship remains workplace-based in terms of its roots, in terms of the expertise that is generated from workers themselves and industry representatives at large.

A key part of the process has been extensive consultation with respect to this particular issue. Most members will know that a working document has been in place or released to those who are interested in this particular area since December 1996, whereby the Minister of Education and Training solicited input with respect to the future and future direction of apprenticeship in this province. In addition to that consultation paper, the minister surveyed a number of apprentices to get their input and ideas in terms of the status of the current system, what they felt was necessary in terms of reforms for the future, and from that perspective we have attempted to build a legislative framework that meets, in part, their expectations.

That is in addition to the numerous meetings that either myself or the minister has had with representatives of various organizations, whether it's educators, community colleges, industry representatives, employee or employers groups. A considerable amount of time has been devoted in meeting with those individuals, as well as representatives from the ministry themselves, ministry officials meeting with those same representatives to solicit their input.

That's in addition to the four days of public hearings that were held some three or four weeks ago with respect to this bill. We heard a number of deputations, both oral and written deputations, I might add, with respect to the

merit of the bill and certainly in the context of securing input with respect to opportunities for improving the legislation as it stands today. Through that process we've heard and received a considerable amount of input, and in that framework the government has placed during clause-by-clause consideration a number of amendments with respect to Bill 55.

I just want to revisit the major amendments because I think they are significant in the context of the discussions we had prior to introduction of legislation and following second reading of the bill and through clause-by-clause consideration.

One of the key considerations we heard from skilled tradespeople was the absence of the term "trade" in the legislation. Very clearly they, as did others, felt the absence of that terminology diminished the value of the skilled trades sector.

In recognition of that point of view, the government moved to reinstate the terminology of "trade," which clearly signals that apprenticeship training includes both trades and occupations.

There was a considerable amount of input and concern expressed with respect to the issue of deskilling the trades and what was constituting a skill set or a full trade. Clearly over the course of the four days of public hearings government members on the committee heard an expression of concern with respect to the definition around "certificate of qualification."

In that context as well the government proposed amendments to the bill that would clarify that definition in the context that the certificate of qualification would apply for a complete trade and occupation and not a skill set.

As well, we heard a considerable amount of concern with respect to the powers of the director of apprenticeship. There seemed to be a degree of discomfort with respect to the relationship that would exist between a provincial advisory committee and the ability of the director of apprenticeship to make decisions on that individual's own initiative without the necessary safeguards in place.

In response to those concerns, the government moved to re-establish a relationship that I think finds the balance between the obligations of the director and the expectations of our provincial advisory committees as well as industry representatives and the relationship that they have requested and want to see with respect to the Minister of Education and Training. Through those changes in the relationship, both administratively and politically at the minister's level, I think there has been a strengthening and renewal of that relationship so that the provincial advisory committees are having greater say with respect to their role and the minister.

One of the very clear issues that was addressed as well was the proposal to eliminate the grade 10 requirement. There was a considerable amount of debate on this issue. Some saw that issue as one of eliminating a standard that was important to all trades.

In recognition of the information the minister received through our consultation and the realities that exist today

with respect to educational attainment of our skilled tradespeople, the government moved to establish and proposed an amendment which would increase the minimum requirement from grade 10 to grade 12. I would add, though, for those who are concerned that this is a standard that exceeds their expectation, the amendment did include a provision whereby, at the request of a provincial advisory committee, an exemption could be requested to that minimum grade 12 requirement. Very clearly we heard, and particularly from the electricians in the province, that this was a level of educational requirement they require today and they saw it as a benchmark that we should be establishing to move into the future.

We saw a strengthened role for the provincial advisory committees and their ability in the relationship they have to the minister, as well as establishing transitional measures that would allow particularly the construction sector, which has been essentially exempted from Bill 55 and still remains under the trades qualification act, whereby they have the ability to move into Bill 55 or whereby we would see transitional regulations in place that would eventually lead or could lead through discussion to industry self-regulation.

The construction sector is a very unique sector, a very significant sector to the economy of this province. They had a very significant say, I would suggest, over the course of the public hearings. In that context, the process effectively has led to a conclusion whereby the construction sector will remain in the current legislation, albeit other trades on the industrial side will be affected by the new legislative framework. Very clearly, the construction sector felt strongly that the current legislation provided it with the necessary framework. They felt very strongly that under the current legislative framework the construction sector in this province has flourished.

The government heard that perspective and has essentially set them aside from the provisions of Bill 55. But as I mentioned previously, should they wish to move at some point in the future into the provisions of Bill 55, the transitional measures are there for them to pursue.

Those are the significant amendments that were presented by the government. I think they reflect very clearly some of the key concerns that stakeholders presented during the consultation process.

As part of that process, the question was then asked, what's the next step? I can indicate to the Legislature this evening that the Minister of Education and Training and myself anticipate further dialogue, extensive dialogue, I might add, with respect to the development of any regulations that particularly pertain to this bill. I would anticipate in January and February that the consultation process would be initiated and the specific points of view that the various trades have with respect to the regulatory requirements that they wish to see will certainly be invited.

That's a commitment that the Minister of Education has made to other stakeholder groups and one that I think industry stakeholder representatives will welcome. It is one that, I might add, is being given very serious consider-

ation because obviously the proof is in the pudding, so to speak, and the necessity to ensure that we have an appropriate regulatory framework in place to complement the legislation is critically important to our skilled tradespeople.

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I know my colleague from Bruce wants to make a few comments this evening as well, so in conclusion I would suggest it's important to revisit the premise once again. The premise is not to dismantle or water down the skilled trades sector in this province. As a government, we have no interest in doing that. Quite frankly, the government of Ontario is very proud of the skilled workers of this province. They're an energy and an important support mechanism for the economy of this province and have very rewarding opportunities ahead of them as we continue to see a demand for skilled workers in this province grow.

The legislative framework that we've placed before the Legislature this evening is one whereby we're attempting to modernize the apprenticeship system. At the same time, though, we are recognizing and acknowledging the uniqueness of the construction sector. We've undertaken every measure possible and will continue to pursue every measure possible that places the necessary protections in place to protect consumers, to protect employees and to meet the expectations of employers as well. We've designed a system that I believe will create new opportunities, that's less restrictive and will open up new opportunities for young people and those who are seeking retraining into the future.

Mrs Barbara Fisher (Bruce): I'm pleased to be here this evening as well to participate in the debate on Bill 55, the Apprenticeship and Certification Act, 1998. As we all know, apprenticeship training is vital to the youth and the education system of today. It is important that every young person and every person who wants to work has the opportunity to participate, if that is their choice, in the apprenticeship program that exists and that will be renewed for others today.

For several years, industry has been telling us that there is a shortage of highly skilled workers in Ontario. That's demonstrated by the lack thereof within certain trades within Ontario today. At the same time, unemployment rates were increasing. It's rather ironic that we didn't have in place the skilled workforce that was required to make Ontario better.

The government initiated a number of reforms and tax changes which improved the business climate in Ontario to a point where, since 1995, 460,000 net new jobs have been created. With the expansion of this economy, employers are very eager to hire skilled workers.

The proposed apprenticeship legislation would replace the current act, which has not been overhauled since 1964. There have been many changes in the workplace since that time. Therefore, it is an obvious requirement that we move forward with new legislation to assist us in apprenticeship programming in Ontario.

As we all know, a university or college education is not for everyone. There are many trades and occupations

which require on-the-job training as well as classroom training. Apprenticeship training provides a means for different groups to work together to benefit workers, people looking for work, employers and our economy.

Bill 55, if passed by the Legislature, will strengthen Ontario's reputation for possessing a highly skilled workforce. It will give the apprenticeship training system a new framework which will protect the quality of training that now exists. It will encourage more employers to train. It would eliminate unnecessary red tape and be flexible enough to extend apprenticeship training into highly skilled occupations such as high technology. It will put apprentices first. It will give apprentices rigorous training and certification programs, and ensure that the programs and requirements meet industry standards. These standards will be set by employers, representatives of employer groups, workers and representatives of unions.

As the parliamentary assistant to education stated, it is our goal to double the number of apprenticeship programs from 11,000 to 22,000 per year.

In January of this year, the government announced its intentions for the reform of the apprenticeship program. Prior to that announcement, we had done a great deal of listening to participants in the apprenticeship program. In December 1996, a discussion paper was distributed to encourage people to think about what apprenticeship is and what it could be. Copies went to 2,500 participants in apprenticeship training: employers, apprentices, skilled workers, industry associations, unions, colleges, school boards, trainers and others. Copies were made available through the apprenticeship field offices and the government's training hotline.

The government received about 450 responses to that paper from all major industries and all regions of the province. The parliamentary assistant held 16 meetings with 125 representatives of different groups with an interest in apprenticeship change. The ministry conducted a telephone survey of more than 1,200 apprentices, skilled workers and people who had left the program before completing their training. The summary of the consultation was released last September.

Following the January announcement, the government met with representatives of the provincial advisory committees. These committees are made up of the people who set standards for training. They are employers and workers who are skilled. Half represent employers and the other half represent workers, including organized labour. We met with many representatives of the committees four times this past year. During the meetings, we worked together with employers and workers to provide industry with greater responsibility for training. We wanted training to be driven by the people best placed to know about it: employers and workers, unions and representatives of employer groups.

In addition to all the meetings with the provincial advisory committees, others were met with, including union representatives, manufacturers' associations, the Council of Ontario Construction Associations, the Provincial Building and Construction Trades Council of Ontario,

representatives of the college system, the Ontario Federation of Labour, trainers who are not part of the college system, and the Canadian Auto Workers.

We therefore consulted broadly. We listened and we reflected on what we heard. The government worked with these people. Our goal is to encourage more employers to train and to ensure that there are standards in place for all apprentices in all workplaces. All Ontarians, especially our young people, deserve every opportunity to succeed in the workforce and in life. I support Bill 55 and urge all members of this Legislature to do so.

The Acting Speaker (Ms Marilyn Churley): Further debate? Questions and comments.

Mr David Caplan (Orlino): It's interesting to hear the parliamentary assistant and the member for Bruce talk about reducing red tape and having flexibility. We now have two apprenticeship systems. We have two governing pieces of legislation. We have twice the bureaucracy. We have the red tape. In apprenticeship right now, it is a bureaucratically delivered system according to the government's own presenters.

It's amazing that these two members of the government would even suggest that they have created something that anybody supports. What they have done is they have created confusion; they have created chaos. In fact, it's a step backwards, not a step forward. What industry said, what the trades said, what apprentices said is that they were willing to work with this government; they were willing to work to develop a training system which was going to take Ontario into the next millennium, which was going to help us to be competitive. What this government has done instead has turned it on its head, has been to place apprenticeship and training away from where it should be, an industry-driven system, and to put it in the hands of provincial bureaucrats.

The director of apprenticeship is now a policy maker. The director of apprenticeship and the minister now will make all of the decisions. The provision in Bill 55 is that the minister "may" set up the industry committees; he "may" grant certain powers. I wish, and I will be talking about this more at length in my comments, the government had adopted the stance that my caucus did. We think that the minister "shall" make industry committees mandatory, "shall" give certain powers and responsibilities to a balanced management and labour committee structure that is going to work to promote training, to set standards, to enforce those standards and to make sure that Ontario continues to have the best training system in the world.

Mr Bud Wildman (Algoma): I listened to the comments of the presenters from the government party. Frankly, this is really perplexing. The government is now proposing to proceed on Bill 55, another time-allocated bill which has not been properly thought out, hasn't been properly debated. Interestingly enough, in this case the government did react to the adverse comment from the public. Over 90% of the presentations made on this bill, from both labour and management, were opposed. The government said: "Well, gee, particularly in the construction sector there are a lot of people against this, so we'll

take them out of it and put them under the old act and the old regulations."

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Now we're going to have two different apprenticeship systems in the province. This is a government that says they're trying to eliminate red tape and make things less complicated. They're doing the opposite in this case. They're taking a system that was in place, revamping part of it against the wishes of everybody involved, and leaving another part in the old system. So we now have two systems. It doesn't make any sense.

For heaven's sake, the government House leader gave us the impression that they were going to just forget about this legislation. Maybe I gave them too much credit. I thought, "He's come to his senses," but no, now they're calling it for third reading debate. They're going to force it through on a time allocation motion. They don't know what the ramifications of this are going to be. All we know is that this is an ill-thought-out scheme. We're going to have two apprenticeship systems operating in the province. It'll be more confusing.

Mr Doug Galt (Northumberland): It's certainly interesting to hear the debate and listen to the member for Middlesex lead off, and the member for Bruce, giving two excellent presentations on the whole apprenticeship area. There's no question that there has been significant change in the workplace. I was just listening to the member for Algoma and you would have thought that if things were to have happened and they were being very conscious about education and all that, they would have done something during their five-year term from 1990 to 1995, but of course in the last year they only met for some five weeks, some 20 days. They had all kinds of time to do a lot of things to have corrected some of these problems.

I've heard for so long about the lack of tradesmen in this province. Tool and die makers: Since I was a kid they've talked about the shortage of tool and die makers. Where do we get them? We have to go abroad to bring them in. We have to import them. We have to have immigrants come to our country with these skills when they should be trained right here. This program will increase it, as was mentioned, from some 11,000 to 22,000 apprentices; it will absolutely double.

Interjections.

The Acting Speaker: Order. Member for Windsor-Riverside, come to order.

Mr Galt: Thank you, Madame Speaker, for calling for order. They were getting a little out of line.

There's no question that it desperately needs to have the proper partnerships as mentioned by the member for Bruce, between the employers, the workers and the unions. This is the kind of thing that's been needed for a long time. Finally, this government has brought in the kind of change that's needed, the kind of change that workers have been asking for for a long time.

Even though the NDP, who claim they work with unions — and unions are trying to decide whether they'll support the Liberals or the NDP in the upcoming election. They may just find out that the unions have bailed out on

them and that they're really not as close a friend of the unions as they had thought for some time.

Mr Frank Miclash (Kenora): As a former educator I certainly have a lot of interest in programs that will take students into further education.

We have a bill here, as has been indicated, that splits the apprenticeship system into two systems within the province. A government that wants to cut back on red tape is doing the opposite in introducing Bill 55, which is going to create much more confusion and much more red tape for those people entering the apprenticeship programs.

As well, we've listened to the government talk about tuition changes in terms of the apprenticeship programs. That is something that, to me, has become very evident under this government, in terms of charges to workers, whether it be for some sort of certification or for some sort of licence. People who are working in the trades are finding that some of these are doubling or quadrupling in terms of charges. It's just another fee. When we hear of tuition, we know this government's record as well as the previous NDP government's record on tuition. Again, some real concern out there.

Madam Speaker, you'll know that I represent a riding that's very close to Manitoba; as a matter of fact, it borders on Manitoba. From our understanding of this bill, it's going to reduce the ability for people to move between Manitoba and Ontario, for folks coming in from out of province to do apprenticeship programs in this province. For a government that wants to cut red tape, we find that in Bill 55 we have a great deal more red tape being put forth to the residents of Ontario.

The Acting Speaker: Member for Middlesex, did you want to wrap up?

Mr Smith: Just to wrap up briefly with respect to the comments from the members for Oriole, Algoma, Northumberland and Kenora, I want to say at the outset with respect to the comments from the member for Kenora that nowhere in Bill 55 is there any provision that allows for the establishment of a tuition fee as it applies to apprentices. I know the opposition members throughout the course of the public hearings continued to emphasize that that provision was contained in the body of the bill. In fact, that is nowhere to be found with respect to the application of tuition fees for apprentices in this province.

Mr Miclash: What about section 17, Bruce?

Mr Smith: I'll just simply say to the member for Kenora, I think you should revisit and perhaps get some clarification on section 17, because the issue of tuition has no relevance to that particular section of the bill. I would respectfully ask him to revisit that particular section.

I think as well the member for Oriole has suggested that we're going to be encumbered with respect to red tape. In fact, the existing legislation is far more cumbersome in terms of the regulatory process that involves the provincial service. In dealing with those particular issues, we've attempted through the new legislative framework to move that away, whereby we have a stronger emphasis with respect to the provincial advisory committees and the role and function that they'll play, not only, as I suspect,

with respect to the development of regulations but certainly the role that they'll play in the future in terms of the development of curriculum materials and issues that are important to them as various sectors in making recommendations to the Minister of Education and Training.

This is not about creating confusion within the apprenticeship and training field; it's about providing a legislative framework that provides for the industrial sector in particular to move ahead and at the same time recognizes the uniqueness of the construction sector in this province.

The Acting Speaker: Further debate.

Mr Caplan: I appreciate the opportunity to speak to this bill. It is a significant piece of legislation. But before I do, I certainly want to recognize many of the people who are here this evening, because Bill 55 has aroused a great deal of interest around this province. I see folks like Jack Cooney — Jack, welcome — and Cosmo Mannella, John Maceroni. I see James Moffat and Irene Harris, Bob Chernecki, John Bettes and many others who are here this evening and were at the public hearings. They have tried to work with this government and have made representation about Bill 55 and about training in Ontario.

I think it's important to review a little bit how we got to this stage, so I'm going to comment on the bill as it was originally drafted and remind the government about what it said at the time when it presented this bill. I'm going to have a chance to talk about the limited public consultations that have taken place. I'm going to talk about the amendments and the vision that my colleagues and myself in the Liberal caucus have in response to the concerns that have been expressed both at and before the public hearings took place, and I'm going to talk about what the government has done in amendment and the bill that's before us today.

Bill 55, when it was originally tabled, was intended, according to the government, to give the apprenticeship system in Ontario a much-needed overhaul. Those were the words of the minister, "a much-needed overhaul." What they proposed doing was to scrap the current Trades Qualification and Apprenticeship Act, the TQAA, which hadn't been revised since 1964. I think the member for Bruce mentioned this in her comments and how something from 1964 really was very much in need of modernization.

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Minister Dave Johnson, when he came to the committee hearing, said in his opening remarks, and I'm going to quote from Hansard: "The present system is governed by rigid legislation and a regulatory framework. It is not flexible enough to meet current industry training needs...." That's from the minister's opening remarks.

He also said: "We cannot effectively compete in a global marketplace if our training legislation dates from the 1960s. We cannot afford to stand still." I want all the members of this House, and all the members of the public, for that matter, to remember these comments, especially when we get to the part when we see where the government has amended this particular bill after the hearing stage.

As has been said certainly by myself and by many others in the House, there is much opposition to the proposed changes in the bill. I'll go through a few of them: the elimination of journeyperson-to-apprenticeship ratios and the deregulation of mandated wage rates for apprentices.

The journeyperson ratios are certainly important as an education tool for apprentices, but it's also important as a measure of public safety. You need proper supervision, first of all, to learn, but also to get the job right. There is an amount of public protection in there, as well as worker protection. Some 85% to 90% of what apprentices learn is done while they're doing it on the job. If they're not doing things properly, because often they're working with very complex or complicated machinery or in high-risk types of jobs, they can be a threat to themselves or to their fellow workers. There's a worker safety aspect to this, there's a consumer safety aspect to it and there's certainly an educational aspect to it.

The deregulation of mandated wage rates: What this means is that the government is proposing to lower wages. Apprentices now will be making essentially minimum wage. That's the government's vision. That is somehow going to make it more attractive for young people, or for older workers, for that matter, to want to get into the trades. That's absolutely and patently nonsense.

They had proposed removing, and it was in regulation, the minimum educational standards. As was mentioned earlier, that was something that has changed in amendment.

The government has signalled its intention to begin to charge tuition for training for the very first time. Let's think of it: Couple tuition with lowering wages. It's absolutely incredible that the government would have anyone believe that this is going to make it more attractive for anyone to want to get into the skilled trades sector. You're now going to make less and pay more, whereas before there was no requirement for tuition.

They've changed the reference in the legislation — and this is very important — from "employer" to what they now call a "sponsor" of training. That has some very serious consequences because apprenticeship was based upon the notion that you were training for a particular job, that there was something that awaited you after you finished your training period, became a journeyperson and then became a trained, skilled person. Now that doesn't exist. Someone is going to sponsor you but there's no prospect of employment. So what are you being trained for and where are you being trained?

The legislation allows for part-time, contract and self-employed workers to become apprentices. I've asked this many times of the government and even of some of the presenters at committee hearings: How can a self-employed person become an apprentice? It makes no sense, and yet the government has plowed ahead with this concept, which is absolutely farcical and nonsensical.

They've introduced restricted skill sets, which essentially, in the words of some of the presenter, will begin to fragment the trades.

In the process of approval of new trades, they've moved all of the power essentially into the hands of the minister and the director of apprenticeship, a bureaucratic approach to apprenticeship and training. They've taken it away from industry, away from labour-management committees which have worked and served this province so well.

Many of the presenters have said that Bill 55 is going to have a significant impact on mobility and Ontario's participation in national standards programs like the national red seal program. In fact, many of the presenters — employers, employees, contractors — were categorical. They said, and I will be very direct to the government members, that Bill 55 is a job-killer; it will cost Ontario, and it will cost Ontarians jobs.

At the hearings — well, first of all, thankfully we did have hearings. It took a slip-up in this House from, I think, the member for Simcoe Centre to force the government into public hearings to begin with. But we were able to get hearings, although they were very brief and very limited. We had only four days of hearings on an issue of critical importance to Ontario and to Ontario's competitiveness and bringing us forward. I submit to you that limited amount of time was not really sufficient to scratch the surface of the concern there was on Bill 55. But we did have those hearings, and participants gave a number of briefs.

As alluded to earlier, about 95% of the presentations were against Bill 55. They pointed out significant flaws and problems with the legislation. The general tone was to withdraw Bill 55. In fact, the government hand-picked groups and individuals to come and make presentations about the legislation to the standing committee, and the government's own supporters were, at best, lukewarm. Many of them were even negative about this bill. The government was greeted by rooms full of apprentices and journeypeople at every stop across the province.

I want to talk a little about what happened afterwards. We had our committee hearings, and my colleagues and I responded to what we heard from the participants. We submitted a series of amendments and changes. I often hear government members saying: "We never hear from the opposition. What are their ideas? What are their proposals?" I must tell you that we offered substantive and significant changes that would have strengthened training and training opportunities in Ontario. I'm going to talk to you a bit about them, because they reflected the representations that industry, labour and apprentices themselves made before the committee.

We proposed the following changes. We added a section to the purpose clause and all the relevant definitions that would ensure that an apprenticeship was defined as being work-based; that is, that an employer-employee relationship had to be there. That was defeated by the government.

We added to the purpose clause that there had to be health and safety provisions, and consumer and environmental protection stated within the purpose clause.

We removed all references to skill sets and inserted references to trades.

We specifically changed the definition of "sponsor" to ensure that an employer was providing training.

We realigned the powers of the act. We gave new and enhanced powers to what we called trade-based provincial apprenticeship committees, and removed them from the bureaucrats and, quite frankly, from the minister. That's incredibly significant.

We heard from participants, and it's a matter of philosophy. This government has said that they think a bureaucratically driven system for training is what's needed in Ontario. We say differently. We say that the people who are working in that sector know best. We say that industry knows best. Working together, between labour and management, we can strengthen an already strong training system that we have in Ontario. But the government has seen fit to say no. They think they know best. They think it should be driven by bureaucrats, by ministers, by the government.

2200

That's a significant departure from what this government has made claims about all through. They say they're for a lesser role for government, but in Bill 55 they centralize all power and control. They give themselves a greater role; they give industry a much lesser role. The provisions in Bill 55 say that the minister may, at a whim, decide whether he's going to set up any of these advisory committees. There is no prescriptive language within Bill 55. We proposed amendments to the legislation which said that the minister "shall" have these committees — we did not give an option — and that the minister "must." That's a significant departure.

As well, we spelled out the powers of these committees: to develop the curricula and examinations for training in the trade, to determine minimum academic standards, to determine whether a trade should be certified, the promotion of apprenticeship in their particular trade. The powers that were already named in the proposed act would have been removed from the director and given to the provincial apprenticeship committees.

We also provided for the establishment of sectoral advisory committees to advise the minister on such things as enforcement, new trades, linkages to secondary schools, funding, and national and international standards.

We would have a direct role in the four basic sectors: construction, industrial, service and power motive, advising the minister on all those very important things. Industry would have a significant role in setting standards, but they would also have a role in enforcing those standards, where today that doesn't exist.

We provided for mandatory consultation. This is interesting: We have a director of apprenticeship who has policy-making authority but doesn't have to go and talk to industry, does not have to go and talk to labour or management. We said that we think that's wrong; there should be mandatory consultation about any of those aspects of apprenticeship and training.

We also proposed a dispute resolution process between the director of apprenticeship and the provincial apprenticeship committees.

We allowed for full certification of trades, as was allowable under the previous act. We also had a provision that no tuition fees and no registration fees would be charged directly to apprentices.

We know this government's record when it comes to charging tuition fees. In fact, we had a very impassioned presentation from the Queen's alma mater society. Two young men came and spoke to our committee about escalating, skyrocketing tuition, about crushing debt levels. Their message was very clear: "Apprentices of Ontario, young people of Ontario, older workers of Ontario, this is your future; this is what you have to look forward to. Mike Harris's Ontario is to transfer the cost on to you, to give you a mortgage for life instead of helping you with your education."

That was the message from those young people.

We've seen very clearly the priorities of this government and what industry is saying, what apprentices are saying, what journeypeople are saying, what students are saying. This government has turned a deaf ear to all those groups. It's a shameful, shameful act.

These changes I've outlined reflected the concerns of everybody who came and had some very real issue with the way the bill was constructed and the way the government had responded to earlier issues.

There was this so-called consultation process. It was interesting: The government, in fact, had already made up its mind. They leaked a document very early on. It was signed off by nine assistant deputy ministers. It was passing strange, and I know that my very good friends opposite would not be surprised, that the basis of that leaked document was Bill 55, what we saw several months later. So we know that the government came with a preconceived mindset, that they introduced that, that they had no intention of listening to any of the industry participants, no intention of listening to any of the labour groups, no intention of listening to any apprentices, no intention of listening to any educators. They were determined to go ahead with the direction they had set earlier.

Then, of course, we had our hearings. We proposed significant and substantive changes, as I've outlined. The government defeated each and every amendment we proposed, even the one in the purpose clause related to health and safety, related to environmental protection.

I remember listening, I think it was on Bill 82, when members of this government stood up and said: "We're in favour of environmental protection. We think that's really important." They voted against it in committee. They wouldn't put it into a bill. It has no effect in law; it would just say that was the purpose. You wouldn't support it.

You voted against worker health and safety too. What is it with you guys? I can't understand why this government refuses to embrace those kinds of concepts in a piece of legislation as important as Bill 55.

I'm also disappointed, I might add, that the third party did not propose any amendments to this bill, the changes

many of the stakeholders proposed. I think it's critical for all those involved in apprenticeship to understand the changes we wanted to make and what our vision is.

We know what the government's vision is: lower wages, cheaper labour, lower standards, high school drop-outs, more bureaucracy, more red tape. We know what their vision is. We know what the Liberal vision is. Unfortunately, we don't know what the third party's vision is. Maybe they'll let us know a little bit today.

I want to look at the changes that were made to Bill 55. I think the parliamentary assistant touched on a couple of them. Let's look at what the government did, especially given what we heard at the hearings, given the fact that it would not consider any opposition amendments. Its significant amendment was to exempt the construction trades, all of which were specifically named by trade, from Bill 55 and allow them to remain under the Trades Qualification and Apprenticeship Act. The interesting thing is that we supported that. Bill 55 is a flawed piece of legislation; it's a bad piece of legislation. Any amendment which is going to exempt an entire sector from it can't be all that bad.

We think the government should have done the right thing and exempted every sector from Bill 55. Why couldn't they have that kind of stance? Let's remember what the minister said about the TQAA, the Trades Qualification and Apprenticeship Act. At the beginning of the public hearings, he said, "We cannot effectively compete in the global marketplace if our legislation dates from the 1960s." Those were the minister's own words. Yet that's what the government has done in regard to construction. We now have an apprenticeship system that's still governed by that piece of legislation. That's not to say it hasn't served us well, but what this government has said and what it has done are two different things.

I found it ironic that one week — it only took one week — after the minister made that statement, after the minister said, "We cannot effectively compete...if our legislation dates from the 1960s," in the *Toronto Sun* the minister is quoted as saying, "The present system, however old, still serves their industry." Well, which is it? Is it in need of an overhaul or does it serve us well? Please tell us. We really want to know. This is the kind of confusion we have now. We have two systems. "The present system, however old, still serves their industry." It's nice to see that the minister has a change of heart even though the building trades and others have been telling them this for two years.

Although this has given some relief to the construction sector, it's important to be clear that there are still significant concerns regarding skill sets and the protection for the trades that will not be exempted from Bill 55. They outlined 19 different trades, but they left out a significant number. For example, the painters are not mentioned. There are others. The drywallers are not mentioned. What about all those trades that are not mentioned in that list of 19 trades? What happens to them? Are they now part of the new system or the old system? Confusion continues to reign. That's the greatest flaw with Bill 55.

Let's be clear. We have a government which is now going to be running two parallel apprentice systems: one for construction and one for the other sectors; one for 40% of workers in the trades, another for 60%. Does that make any sense? I ask the government members, have they run this by their own vaunted Red Tape Commission? Today we had the Minister of Consumer and Commercial Relations bring us a pile of paper and recommendations from these gentlemen. Have they run this by them, having two systems of apprenticeship, having an absolutely ridiculous way of doing things?

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At the hearings we asked legislative counsel, but unfortunately nobody could answer the question, what this amendment means to those who perform jobs in both the construction sector and the industrial sector, for example, electricians or millwrights, or many of the other trades. They work in both sectors, in construction and in industrial.

The president of CUPE local 79 agrees with me. In a letter to the minister on December 7, Anne Dubas said the following: "We do not believe that citizens are served by having two different apprenticeship systems operating in the province. The result will be chaos and inequities, especially where crossovers between construction and industrial trades occur."

When you have a situation where you have people trained in a particular trade and they cross over between sectors, which piece of legislation governs? Is it the Trades Qualifications and Apprenticeship Act or is it Bill 55? No one can answer that question. The government can't answer that question.

We've been going at this how many years? We've had how many discussions? We've had a lot of questions. Confusion continues to reign. We're running two apprenticeship systems. It's a ridiculous way to govern. It's a ridiculous way to administer the system. Each system operates under different rules. They operate under different regulations, under different authorities, under different powers for the director of apprenticeship, for industry committees, for ministers. It is an absolute nightmare.

The minister is so wound up in red tape it's remarkable. He can't even be here to speak to his own legislation. How much red tape is going to be generated by this system? I really wish that any member of the government could explain to me or to any member of this House or any member of the public what the rationale is behind this.

Running two systems is going to compromise the national red seal program. How are you going to be able to have labour mobility? How are you going to be able to compare if you have two different systems? No other province in Canada has two different systems of apprenticeship. No other jurisdiction in the world has two systems of apprenticeship. Those people who work in developing national standards through the red seal program were clear: Running two systems will compromise the qualifications in the eyes of other provinces.

The term "journey person" is a significant term. The nature of a trade is that you gain your skills but the work

will move from location to location. While you may be working in Toronto one day, you may be in Kenora the next week and you may be in Manitoba a month later and you may have to go back to Timiskaming two months later. You need to have mobility. Now we have two systems. We have all of this confusion. We have the national red seal program compromised. You are limiting opportunities for people trained in Ontario. You are costing Ontarians jobs, plain and simple.

The legislation is also very interesting in that it provides that the director can assign the powers of the director. By the way, the powers of the director are virtually unlimited. The virtually unlimited powers for this provincial bureaucrat can be assigned to any other person. The government has done something which is unique in legislation: They have defined "person." A person is any individual, any company, any sole proprietorship, any corporation, anybody. The powers of the director can be assigned anywhere, any time, to anybody.

There are fears now this means we're going to be moving towards a privatization of programming. That wouldn't be surprising given the bent of this government for privatizing health care, moving towards the privatization of education. Are we now going to be privatizing training systems in Ontario? Who knows? Andersen Consulting might be running apprenticeship one day in Ontario. They've taken the Minister of Community and Social Services for \$180 million. They've taken the Ontario taxpayers to the proverbial cleaners. Maybe they'll be running our apprenticeship. Isn't that a future we all want to contemplate?

There has been no response to the concerns about the deregulation of wages and the affordability aspect that this is going to put on people entering the skilled trades. I want to be very clear: The average age of an apprentice is 26. A 26-year-old person is not going to be able to continue in the system because they're not going to be able to afford the work for what might amount to a minimum age. People who are 26 have families, they have mortgages to pay, they have all kinds of costs. Now they're going to have to pay for their apprenticeship and they're going to earn fewer dollars.

Is that going to be attractive? One of the great things about the whole trades sector is it's an attractive place to work. You make a good wage. There is ample work. You have very good working conditions as a result of collective bargaining that has taken place in the province, or at least in many places, but that's all going to end now. This is what apprentices have to look forward to. The government did not address any of these concerns with their amendments.

There was no response to the concern about removal of journeyperson ratios and the replacement with voluntary guidelines, and there are real concerns, as I mentioned earlier. Are we going to have adequate supervision of apprentices? Is public safety going to be at risk? Is worker safety going to be at risk? Are co-workers? How about environmental protection? We heard from people like the operating engineers and the crane operators about the

tragic consequences that we can have unless we have proper supervision and training. In fact, employers and contractors were saying these were significant concerns for them. Workers oftentimes work with multi-million dollar pieces of machinery. The cost to employers for poorly trained and poorly supervised individuals is enormous. Employers and contractors don't want the provisions of Bill 55. Why have you not addressed those concerns?

There are real concerns about watering down the quality of the workforce by hiring cheaper apprentices to fill the roles of journeypeople. If you're an employer, for example, and you have a one-to-one ratio of apprentices to journeypeople — let's say you hire 10 people. You would have five apprentices; you would have five journeypeople. If you change that and you have no ratio, you can now literally have one journeyperson to nine apprentices, with the same 10 people. You're having a cheaper workforce but a less skilled workforce. You're also having the concerns about safety, about worker protection, about environmental protection, and the consumer is very much at risk.

The government did not change its view on imposing tuition fees. This is going to impact the accessibility of programs. The government is not being clear on what level of fees they're going to be charging. They have not answered what kind of student assistance. If we look at their current record on tuition and student assistance, apprentices in Ontario had better be worried. They've said that they're going to be setting up a different plan.

They did not make any clarification regarding the change from employers to "sponsors of training," and this certainly gives us concern. They had this much heralded — actually it was a program set up by a previous Liberal administration called the Ontario youth apprenticeship program. Are school boards now going to become sponsors of training? Are these going to now become like co-op type programs where they are going to farm out students, pass them off as apprentices, pass them off as a labour force? How about municipalities? Are they going to set up as a sponsor of training? Are they now going to take in welfare or social assistance recipients and call them apprentices? Are they going to become a sponsor of training? What exactly does this mean? I don't think the government has truly thought through the implications of this kind of move.

The allowance of part-time, contract and self-employed workers to become apprentices: That's an absolute farce. How can a self-employed person become an apprentice? Who supervises them? Who gives them their training? It makes no sense.

There still is no real role for the provincial advisory councils in terms of enforcement of standards. Again, the legislation is only permissive.

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The changes in dropping the time requirements for programs mean that skill levels will drop. The current two-year contract ensures that time is spent in the workplace acquiring skills that are necessary to develop well-

rounded, skilled tradespeople. This is critical. Now we're going to have literally anyone set up shop as some fly-by-night trainer, giving whatever skills they might have. You might see them advertised on the back of matchbook covers offering six- or eight-week courses. Is that the kind of organization which will give you a skilled workforce? I really don't think so.

We have real concerns about the minister being able to make changes through regulation. This is a consistent theme that we've seen from this government for a number of years and in a number of different pieces of legislation. The government says: "We're going to make changes through regulations. Trust me." If there is one thing that has been proven over the last three and a half years, you can't trust Mike Harris. You can't trust him when it comes to training, you can't trust him when it comes to education, you can't trust him when it comes to health care, you can't trust him when it comes to taxes. You can't trust him, period. You just can't trust these guys, and they keep doing it. They keep saying, "Give us regulatory ability and trust us." I don't trust you, the people of Ontario don't trust you, industry doesn't trust you, the trades don't trust you, apprentices don't trust you. Why don't you get it?

They've also given the director the ability to delegate his or her powers. The legislation allows the minister to make regulations regarding industry committees, programs, criteria for certifying skilled workers, for the recognition of qualifications and a whole host of other issues.

As I end my comments — I'm going to pass the floor to some of my colleagues, specifically the members for Ottawa Centre, Prescott and Russell, and St Catharines — I do want to leave you with a couple of different folks who have spoken about the government's Bill 55.

The first is a very interesting group: Mr Munger, vice-president and general director of personnel, General Motors of Canada; Mr McCarter, vice-president, human resources, Chrysler Canada-DaimlerChrysler; D.J. McKenzie, vice-president, employee relations, Ford Motor Co of Canada. Three vice-presidents of the Big Three auto makers, November 24, 1998. I'll read very briefly from their letter.

"As an industry, we have a 50-year relationship with the UAW/CAW in the area of trades development. Joint company/union apprenticeship programs represent one of the first collaborative initiatives in our industry....

"Given this background, we are concerned at the current status of Bill 55 inasmuch as various stakeholders in the province have expressed dissatisfaction with the lack of specifics regarding the changes contemplated. Equally important is the perception that the lack of specificity has made it difficult for both employers and employees to determine the actual implications of the bill in the workplace.

"We urge you to delay passage of Bill 55 until such time as constructive, meaningful consultation can take place with all significant stakeholders."

That's the Big Three auto makers saying, "Don't pass Bill 55."

The Toronto Board of Trade —

Mr Miclash: On a point of order, Madam Speaker: I do not believe we have a quorum in the House.

The Acting Speaker: Clerk, could you check and see if there's a quorum, please.

Clerk at the Table (Mr Todd Decker): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The member for Oriole.

Mr Caplan: I'll continue. This is a letter from the Metropolitan Toronto Board of Toronto in regard to Bill 55. The letter is dated November 30, 1998, to the minister from Bruce McKelvey and Elyse Allan and it says:

"Bill 55, by placing industry committees as advisory with reporting functions to the director of apprenticeship for approval, could potentially lessen the ability of industry to play a proper role in the management of the new system. This, we believe, is at odds with the original intention of the review to strengthen the role of industry."

The authors go on: "By moving the control more into government, there is the concern that the reformed system will be driven by the bureaucracy and not the trades themselves. This move is inconsistent with a market-driven approach to training and is somewhat unexpected given the tone of the consultations of reforming the present act." Remember, this is the Toronto Board of Trade.

I'll go on: "The unique strength of the apprenticeship system rests on the strong employer-employee relationship. This is the sense of the pride in the journeyman role and the passing on of skills. There is a real commitment in this relationship and the concept of a sponsor instead of an employer could destroy that fabric."

I hope the government members would listen to the Toronto Board of Trade, people they asked to come and present to the hearings on Bill 55. They said don't have sponsors, have an employer-employee relation, that this is a bureaucratically driven, not an industry-driven, approach.

The last one I would quote to you is the Amalgamated Transit Unit: "There will be two apprenticeship systems operating in the province of Ontario, and the result will be chaos and confusion," especially when there's the cross-over between construction and industrial trades. Chaos and confusion will reign.

I'm very sad to say that this government has taken what has been historically a very strong system of training in Ontario and has transformed it into one of chaos and confusion. It will not serve the people of Ontario well. I would urge all members not to support Bill 55 and to instead renew their commitment to an industry-driven approach, not a bureaucratic approach. We will not be supporting Bill 55, and I would like to hear the concerns of my colleagues.

The Acting Speaker: Further debate?

Mr Richard Patten (Ottawa Centre): First I'd like to commend my colleague from Oriole, who obviously has worked very hard and studied the extent and the depth of this particular bill and the issues that the bill raises. I want to congratulate him because I know he has worked very hard on this.

He just said we oppose it. It is obvious that we would oppose this particular bill. While we disagree with lots of pieces of legislation of this government, this one has to just about take the cake. It is fragmented. It is divided now. It is split. The stakeholders are not with you, meaning the government, so who the hell is? Who are you really doing this bill for? I'd like to know. Who really supports it any longer? They don't.

There may have been some people at the beginning hoping you might listen during the hearings and receive some amendments and some recommendations that were made to you, but no amendments by the opposition were considered. In other words, you didn't listen. So you're going to ram through something and it will create problems for you, the government, and not achieve the stated purpose that you said this bill was designed to address.

It has become somewhat of a joke when people are asking, "What the heck are they going to do with this with all the difficulties and problems?" They cannot go ahead with some of this unless they work with the people who are affected in the trades and in the industries.

The overall approach of this government to education and training — which, parenthetically, of course I would disagree with, and I think most of my colleagues would too — is a further reflection of this legislation. When we look at the approach, as my colleague said, whether it's to health or to education, it's top-down. It's heavy-handed. It's moving forward not in conjunction, in a way that's sensitive to the people you're attempting to supposedly help, assist, support, or ameliorate a condition.

This one is going to be worse, especially now — and I'm just reiterating this — with the declared parallel systems that will occur. We will literally be, as a jurisdiction, the laughingstock of the rest of the jurisdictions in this country. They'll say, "What?" Can you imagine trying to explain this to a colleague who comes from another province or from another country even who is attempting to address the whole area of apprenticeship, which is fundamentally important to our future, to any jurisdiction's future in this modern world? It's a sad comment.

2230

Then the government said this was to be helping out business. It seems to me that if you try to take a shortcut and you try to take away some of the things that were there because it appeared to be perhaps a little slow, but they were there for good reason, and you tried to take shortcuts and get people through as quickly as you possibly can, naturally you're running a risk. You might say yes, there are exceptions, there are geniuses that graduate from university at 15 or 16 years of age, but they are not the typical student.

So we have a condition now where, in an attempt to satisfy business, because the government has no great love

for labour — I think we've seen that with the labour legislation. In attempting to do something for business, it's my opinion — and I believe my colleague from Oriole has illustrated with some of the leaders from business their reservations about this bill — this will not help business.

We don't believe it's going to give you better-trained people. As a matter of fact, we're convinced it will not and that you will have hurt the quality of this. You will have hurt the relationship between the whole apprenticeship history and tradition in this province and fragmented it, and now we're not sure where the future is, whether the future is in the government's hope for privatization — I don't know. Nobody can really answer that now. We don't know where the future is, and I'd like to know if anybody does, because this is going to cause chaos.

"We will deal with this in another way," just like in terms of Bill 99, the WCB bill or WSIB bill. "We'll deal with construction in a different manner. We will deal with them because they are a special sector." Of course they're a special sector. We all knew that. That's why it's important to listen very carefully to what these people have to say.

The bill does not sufficiently protect the needs of the apprentice either. People have addressed the issue, and I'll just underline it, of the worry of safety; you might say even health and safety, but the issue of safety. So when you see the intertwining of how many apprentices a journeyman is going to have, I don't know. They could have two, three, four. Can you imagine somebody working on a very sophisticated electrical circuit and looking around; "Where's John?" "Oh, John's sick today." "All right. Well, I'm going to show you something here. Where's Harry?" "Harry just went to the washroom." "OK. There's three of you left. I'll take you through." Can you imagine? This is ridiculous.

You've taken the guts out of a system that, as the minister has even said, as the parliamentary assistant has said, has served us well. Maybe there are some things that can be ameliorated. Nobody disagrees with that. But you've taken the heart out of this and now there's mass confusion that will not be helpful in the particular community and certainly not serve the businesses very well.

The legislation runs the risk of creating quasi-indentured labourers, an underpaid labour pool for less scrupulous employers — and we always know that there are some of those around — to really take advantage of. This is where we should be providing some degree of protection and some degree of support for workers. Indentured labourers: If people aren't sure what that means, it's one step up from slavery. When slavery was abolished in the 1800s, a way the colonialists got around that was to import people. A lot of people from India, for example, went to the West Indies and worked there for a period of time in the sugar estates. They sold their souls; they had to work there for 10 years or for a certain period of time. When they worked there, they got minimum wage and they had to pay back their room and board. They were literally caught in the bind of trying to free themselves of

the poverty from whence they came and found themselves in an indentured labour context.

Mr Martin: On a point of order, Madam Speaker: The member for Ottawa Centre has a lot of important things to say tonight on this apprenticeship act, and I don't think we have quorum.

The Acting Speaker: Clerk, could you check for quorum, please.

Clerk at the Table: A quorum is not present, Speaker.
The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The member for Ottawa Centre.

Mr Patten: When we look at how knowledge and skills are acquired, we know they are handed down. If you think of the last time you might have done a repair in your home or struggled away trying to do something and then given up and invited in a tradesperson with some skill and marvelled at their ability to quickly do a job that seemed quite challenging when you attempted it yourself, you gain an appreciation for the skills that are required.

We must respect all skills, large and small, that they are learned, they've been tutored, they've been passed on. This is an inalienable fact about how skills are developed. So, when we talk about voluntary ratios with journeymen and apprentices, we believe that this will not work, that it will in fact create hazards. We know experience works in accomplishing this teaching of skill. Why are we fixing something in that area that isn't broken? The same people who complain about the expense of the system now will be complaining about the lack of skilled tradespeople in the future. We should not be as short-sighted as they are now being.

For the same reason, it would be wrong to drop the two-year training period. This requirement helped in the end to produce well-rounded tradespeople. Trying to take shortcuts does not help. We talked about part-time people and things of that nature; quite incredible.

We will be keeping good candidates for apprenticeship away by deregulating wage rates and by imposing tuition fees. Who is going to set them, the individual companies or training institutes or whatever? We'll be making it far too expensive to enter into a trade at the apprenticeship level for some people.

I could go on and on, but I want to share some time with my colleagues. I want to say that it will end up being quite an embarrassment for the government once they pass this legislation they may not proclaim good portions of, because they'll end up trying to rectify situations over the next year or so to try to pull back some of the mistakes they made by ramming through this piece of legislation without listening to the stakeholders or other members in this Legislature.

2240

The Acting Speaker: Further debate.

Mr Lalonde: It is with great interest that I am joining my colleague in debating Bill 55, the Apprenticeship and Certification Act.

What is surprising me at the present time is that we are debating Bill 55 in third reading tonight. When I look at what the Premier has done over the weekend and also the Minister of Labour —

Mr Bradley: Big show.

Mr Lalonde: We had a big show, all right, as the member for St Catharines is saying, in Ottawa over the weekend. The Premier says, "If the Quebec construction workers don't abide by our rules, we will close the border." Then he went a little further.

I see my friend the member for Nepean clapping, but I think he doesn't know what the implications of this are going to be.

Mr Baird: I agree with Bob Chiarelli.

Mr Lalonde: I fully agree.

I've been working on this for three and a half years, and you just kept your ears closed all the way through.

I'm looking at the comment the Premier made on May 26, 1996. It completely differs from what he was saying over the weekend. This bill will permit all outsiders in the construction industry to come and work in Ontario, because at the present time there are very few construction workers who have certification in Ontario, very few in the Ottawa-Hull area going right down to the Hawkesbury area. Not even 10% of our construction workers have a certification of trade.

In the beginning, I was telling my friend Mr Caplan that I would probably support this bill. But then when I started to study this bill in depth, I noticed that we are really getting — I'm not going to say the word, because the first letter is "s." In this case, the Premier said over the weekend, "We will make sure that our Ontario construction workers do get priority to work in Ontario." But again, when we look at the content of this bill, we don't have the certified tradesmen in Ontario to meet the construction demand that we have, especially in the Ottawa area and also in the Windsor area, and right up to Hearst, Kapuskasing, North Bay and the Nipissing riding. As the Premier said on the 26th, we have to make sure we don't forget the Nipissing area.

I issued a pamphlet on Monday, yesterday, at 11 o'clock, but the Premier and the Minister of Labour were aware I was coming out with this. They turned around and published a number in the journal *Le Droit* this morning. Try that number, the 1-800 number. The person who answers that number is in Florida. Grab the Ottawa *Le Droit* paper and you will see that the people who are answering the number the minister gave to the media yesterday are in Florida. The other number the minister gave to declare those from outside the province who are working in Ontario is the Ministry of Labour. They'll take the information. They'll say: "We'll prepare a fax, and we'll send it out to the concerned people and we'll call you back. When, we don't know."

If you call this number to see if the tradespeople are registered in Ontario, you get the answer within 15 seconds. That is very easy.

But with this bill, we are definitely opening the door wide to construction workers from outside the province.

I'm looking at the agreement that was signed by both the Minister of Labour for Ontario at the time, the Honourable Minister Witmer, and Minister Rioux from Quebec. It's funny, at that time we had 22 trades that were recognized. Today we're coming back with 19 trades, and out of those 19 trades that are mentioned in the bill, in section 1.1, only seven of them at the present time need certification, only seven of them. What's going to happen to the other 19 trades? Are we going to let go all those construction workers who are not meeting the requirements of Bill 55? If not, are we going to have a grandfather clause in there?

It's too late to come up with amendments. It's known in Ontario and all over Canada that Italian people are good in the masonry sector. French Canadians are very good at carpentry. In this case, are we trying to eliminate the majority of French Canadian people working in the construction industry? I'm sure this is not what this government wants. I'm definitely positive of this. It's just to say that at the present time in Ontario we don't have the facilities in place to give the proper training to the people working on construction sites. We could do like la Beauce in Quebec. I organized a bus and we went down and looked at the training they have there. Unemployment is zero in la Beauce in Quebec, because they have proper training. They have a college called CIMIC. Everybody who comes out of there has a job, and 70% of them are coming to Ontario to work because the salaries are better.

I don't think this bill will give the advantage to the Ontario construction workers, and it will defeat what the Premier said over the weekend, what the Minister of Labour said over the weekend. They're going all out. They said they would spend how many thousand dollars? I believe it's \$300,000 in advertising, \$50,000 to take the phone calls. But besides the \$50 million they are spending in advertising, that's on top of that, and also probably \$600,000 they spent on sexual harassment. Add all those things up and it looks good. But why would the Premier say in the last four days, "Yes, we will stop the people from outside," but this bill will open up the door to all the others from outside of our province?

I'm going to give a chance to my friend from St Catharines.

Mr Bradley: I'm interested to hear from the member for Prescott and Russell that the number you're supposed to call is a Florida number. I don't know whether Jeb Bush, the new Republican Governor from Florida, is at the other end of the line, or maybe Mike Murphy, the Republican strategist who advises Jesse Helms and Ollie North, is at the other end of this line. But it's interesting to hear that they have a line you call and you have to call Florida. It's obviously a call centre somewhere.

I can understand why there's so much opposition to this. "The CAW is opposed to it. What do we care?" said the Mike Harris government. Then they found out — Dalton McGuinty, the Liberal leader, got up in the House and said, "We have letters not only from the CAW but from the vice-presidents of the following auto companies." So you've succeeded in doing one thing with this bill:

You've united the CAW and the management of the automotive companies, the Big Three, in this province with this silly bill which is going nowhere, which you've had to amend virtually into oblivion, which you've had to cut in half and take away the construction trades from it. The trades in construction division are separate, which is absolutely ridiculous.

What you've got is a situation where you would have maybe one or two people working with a journeyman; instead, now you're going to have three, four or five. There are safety concerns. You wonder how effective that training is going to be. The minimum education standards are going to be gone, so you're dumbing it down. That's what you do with so much of your stuff over there. You have a wage base which is not negotiable; it looks like it's going to be the minimum wage for these individuals. And you're going to end up sticking them with tuition, and everybody knows what you've done with tuition in this province, particularly for those in the post-secondary era, where you've made huge hikes in tuition for community colleges and universities and the sky is the limit for professional programs.

2250

The Acting Speaker: Questions and comments? Further debate? The member for Windsor-Walkerville.

Mrs Fisher: On a point of order, Madam Speaker: I am just wondering if it's appropriate that there's a shirt in the House displaying different signs.

The Acting Speaker: Member for Windsor, I can't quite see what's on your shirt, but I believe it's out of order. The Speaker ruled that you cannot wear any kind of emblem or symbol. Member for Windsor, you'll have to remove this T-shirt.

Mr Lessard: This is going to be a full Monty, Speaker.

The Acting Speaker: OK, where were we? Further debate?

Mr Lessard: This is just another one of those unfortunate opportunities we have to speak on a very important bill late at night that is time-allocated by this government that's only going to leave us with less than 20 minutes to respond. Once again the government is trying to shut down debate on an important piece of legislation that is going to affect a great many people in Ontario and affect the future economy of the province as well.

Unlike the Liberals, we have said from the outset that Bill 55, dealing with apprenticeship training in this —

Mrs Fisher: On a point of order, Madam Speaker: I do remember you recalling that it should be removed, but I don't know that it still should be on display.

The Acting Speaker: No, it shouldn't be. I'm not aware that the T-shirt is still on display. If it is, it shouldn't be. I don't see it. Go ahead, member for Windsor-Riverside.

Mr Lessard: It's unfortunate that the government members wish to abuse their majority position by trying to take away from the time we have to debate important pieces of legislation in this House. What we're doing here this evening is trying to express the frustration we feel in

dealing with this piece of legislation that we have said right from the outset is bad legislation. It's bad for apprentices and it's bad for the economy of the province of Ontario.

We've been joined by a great many people in making that submission, and some of those people are here with us tonight. We have Irene Harris from the Ontario Federation of Labour; Bob Chernecki from the Canadian Auto Workers; Ron Jones from the CAW as well; John Bettes from the CAW; and James Moffat from the Sheet Metal Workers. I want to thank them for being here this evening. They have been consistent in their criticism of this legislation from the outset as well.

It's interesting that after all the debate we had in this House and the submissions we had from the public that said Bill 55 is going in the wrong direction, the government telling us, "We need to get rid of the current apprenticeship system here in Ontario because it's 30 years old and it doesn't work," we saying to this government, "That's wrong; it's the wrong direction," we had four days of hearings; and the government finally agrees with us. They said: "Maybe you're right. Maybe Bill 55 isn't any good, but it's not any good only for those people who are in the construction sector."

We can't figure out why, after two years of consultation and, as the members have said, 2,500 discussion documents that went out to the people who are going to be affected by this legislation, why, after all this bogus consultation takes place, the government ends up after public hearings having to basically gut their own bill. It doesn't make any sense to me.

The government says their goal is to double the number of apprentices in Ontario. That's a lofty goal. It's great. I heard it repeated here tonight by the member for Bruce. But repeating a mantra over and over and over again and closing your eyes and clicking your heels together three times is not going to make this happen. You're not going to make this happen by reducing the wages for apprentices. You're not going to have that happen by imposing tuition fees on apprentices. You're not going to have that happen by eliminating standards. You're not going to have that happen by eliminating the ratios of journeypersons to apprentices. You're not going to have that happen by eliminating the two-year contracts for apprentices. You're not going to have that happen by undermining the red seal program in the province of Ontario.

I asked this question over and over and over again during the public hearings: "How is it that by making the changes that are in Bill 55 you are going to double the number of apprentices in the province of Ontario?" I have yet to get an answer to that very simple and direct question, and still we don't have an answer to that question this evening.

All they're saying is "Trust us." I think that there would at least be a slight bit of trust that this government may have been able to garner if they were to introduce the regulations that are going to fall under this legislation. We asked, once again, time and again, "Where are the regulations?" All this bill is is just a basic framework, a mere

skeleton of the new regime of apprenticeship training in Ontario. We have no idea of what's going to be included in the regulations. They still have not been made public.

We felt that maybe the government was convinced by over 90% of the submissions that were made to the committee that Bill 55 is not moving in the right direction and that maybe they would just decide to forget about this bill, they wouldn't recall it before Christmas. Quite frankly, I'm a bit surprised that they've recalled it this evening for third reading debate because we don't think, based on the submissions that we have, that the government really wants to implement the changes that appear in Bill 55.

We had four days of committee hearings in the standing committee on general government. We went to Windsor, we had hearings here in Toronto, we went to Sudbury and we went to Ottawa. You would think that if there was anybody anywhere who agreed with what the government was doing with respect to Bill 55, they would have made a point of coming before our committee and saying to us, "We think that Bill 55 is a great idea." But you know what? They didn't show up, they didn't come. Whoever it is that supports Bill 55 didn't show up to our hearings to say, "This is what we've been waiting for." Where were they? I don't know why they didn't come.

I don't know who this government is making these changes for. They keep telling us and reminding us about the shortage of tool and die makers and mould makers in the Windsor area, and we acknowledge that there's a shortage of those types of skilled trades in that area. I've asked, "What in Bill 55 is going to encourage more young people to become mould makers or tool and die makers in the city of Windsor?" and there is absolutely nothing in Bill 55 that's going to change that.

Employers can try to encourage more people to get involved in those trades now, but the fact is that they don't. There's no shortage of young people who want to get into those trades because we know that once you've acquired your certificate you can make decent wages. But as long as we can import people from outside the province or employers can poach upon other employers and bring people to come to work for them, then they're not going to have more people enter the skilled trades.

There needs to be an investment made in apprenticeship training by employers in Ontario, but this bill is not going to do that. In fact, the minister in his statements at the introduction of this bill and at other times has said, "There needs to be increased industry responsibility." What he doesn't say is that there needs to be increased industry investment in apprenticeship training. We in the NDP don't think that there are going to be more people who are going to want to become skilled tradespeople in those areas where there are severe shortages unless employers take on that responsibility seriously and agree to pay apprentices a decent wage.

2300

What Bill 55 says is that you can pay apprentices lower wages. This is an attempt by the government to drive wages down. It's removing the minimum wage protection that traditionally had been available for skilled trades

apprentices so that the only protection they are going to have available now is through the Employment Standards Act or through their ability to collectively bargain decent wage protections, and we know that the only people who are going to be able to do that are people who are represented by strong unions.

A number of those people came out to our hearings, a lot of representatives from the CAW and other building trades who said: "We are going to negotiate those protections for our own workers. We don't really have anything to lose in Bill 55. We're going to ensure that we have those protections in existence. Our people are going to continue to make decent wages, and we're going to make sure that we continue to maintain the high-quality standards we've always had in existence."

One has to wonder why it is that people like the CAW were so strongly opposed to Bill 55. I think there's a very good reason for that. They see that if they don't have a well-skilled, well-motivated, well-paid workforce, the jobs that we have always been able to do so well here in Ontario are going to go someplace else. They're not going to stay in the province unless we make that investment in training and we make sure that we have a well-qualified and well-skilled workforce.

The fact is that most of the skilled tradespeople in the Big Three auto plants in Windsor are over 55 years of age. If we don't start making sure that we have young people enter into those skilled trades, we're not going to have a future where we have anybody to replace those workers when they finally become old enough to retire. That's something that concerns me, and it concerns the CAW members I represent as well.

As I said, we had a number of days of public hearings and we heard from about 95% of the people who made submissions to our committee hearings that they were opposed to what this government was doing. Presenter after presenter called on the government to shelve this bill, and we supported that request as well.

One of those groups was the Ontario Sheet Metal Workers' and Roofers' Conference. They made it quite clear in a letter they sent to the Minister of Education just this past week, and I want to quote from their letter: "This was an ill-thought-out scheme and it was clear in the clause-by-clause debate that all of the implications of this move had not been examined."

We heard that from presenter after presenter, not only from the construction workers but from the CAW local 444, Ken Lewenza, as well. He said that in Windsor there were only two presentations made that remotely supported this bill. He says, "We urge you to shelve this bill and facilitate a full dialogue with representatives from labour, management and any other sectors who have apprentices." That opinion was shared by Gary Parent from the Windsor and District Labour Council. It was also shared by Rick Meloche from the Ontario English Catholic Teachers Association and Bernie Dupuis from the Ontario English Catholic Teachers Association.

I know this government has made it very clear that one of their targets, one of their enemies, in the upcoming

provincial election is going to be unionized labour. They are making them out to be the enemy, the bad guys that they are going to campaign against in the next election. You would think that if they really wanted to do that, Bill 55 would have set them up to put organized labour on one side as the bad guys and the government as the good guys wanting to present some changes to improve apprenticeship training. That's all well and good, but that argument fell apart during the course of these hearings, because we also heard from representatives of the Big Three.

I have a letter dated November 24 from the vice-president and general director of personnel of General Motors of Canada; the vice-president, employee relations of Ford Co of Canada; and the vice-president, human resources of Chrysler Canada, also known as Daimler-Chrysler now. I quote there as well:

"As an industry, we have a 50-year relationship with the UAW/CAW in the area of trades development. Joint company/union apprentice programs represent one of the first collaborative initiatives in our industry....

"The Windsor experiment is just one example of progressive action in the area of apprenticeship training....

"We are concerned at the current status of Bill 55 inasmuch as various stakeholders in the province have expressed dissatisfaction with the lack of specifics regarding the changes contemplated....

"We urge you to delay passage of Bill 55...."

The Windsor experiment they're talking about is a program that is currently underway at St Clair College, an electronic technician/ electrical engineering program, an initiative that was undertaken by Chrysler and the CAW in conjunction with St Clair College. I think that is a success story. That is the way that changes to training should be taking place, but that's not the direction in which this government is going in Bill 55.

I've also got a letter dated November 25 from Bombardier Aerospace, another large corporation here in Ontario, and I quote:

"I think it is fair to say that we all came away more concerned that the bill seems to be on a fast track. We also feel that we, being some of the major industrial employers in the province, have not been properly consulted...."

That is something we heard over and over again during the public hearings that we conducted, that this government is on a fast track to implement this legislation, legislation that is going in the wrong direction completely. They've finally agreed with our arguments that it's going in the wrong direction with approximately 40% of the tradespeople who are involved in the construction sector and have decided that they are going to exempt those people from the provisions of Bill 55.

We say, don't stop there. Why don't you just exempt everyone from the provisions of Bill 55? Why don't you scrap this bill, go back to the drawing board, have meaningful consultation with apprentices, with employers and with people who are going to be directly affected by this legislation and come up with some comprehensive

apprenticeship training programs that will be effective. Get rid of Bill 55; it isn't going to work.

It's going to be bad for consumers as well. Here in Ontario we've had very high standards with respect to health and safety and with respect to the construction of buildings, the construction of our workplaces and the construction of our homes. I don't believe that consumers in Ontario want to see a deskilling of the workforce. They don't want to see people who aren't well qualified working on their homes and in their businesses, who don't have the high level of qualifications that people have now, because they are going to put people at risk. They're going to put other apprentices, other workers, at risk as well, and that is needless.

Instead of being an expert in one trade, people who are trained under Bill 55 are going to be jacks of all trades and masters of none. That isn't the direction in which I want to see us going in Ontario, and I'd like to know who wants us to go down that road. I ask once again, who are the people who are asking for this legislation? Just produce them. Name some of the people who are asking for the changes that you're putting forward in Bill 55 and why they think they're a good idea and how it is that you're going to double the number of people who are involved in apprenticeship training in Ontario. I just wish you would explain that to me and to other people in Ontario.

2310

You've exempted construction workers from Bill 55. I don't think that was something that was really all that well thought out because it was an amendment to the legislation that came in at the last minute. It came in the evening before we had clause-by-clause debate with respect to the bill. What that did was exempt a number of people who were in the construction trades. It lists 19 of them. One of them is "electrician." Another one is "such other trades in the construction industry as are prescribed by the regulations." Do you know what that means? We have no idea who they're exempting from the provisions of this legislation because we have no idea what's going to be in the regulations.

Getting back to "electrician," one of the questions I raised during the clause-by-clause debate was: What is the difference between an electrician working in an industrial plant who may be a CAW member and an electrician working for a construction company who comes and works in an industrial setting, perhaps a Big Three plant, working alongside that electrician, who happens to be an industrial electrician who's a member of the CAW? I couldn't get an answer to that.

The electrician who is in the industrial sector could come under Bill 55, could be trained using the new skill-set-based training — we have no idea what that means; we know it's going to be a lowering of the standards, a lowering of the time it takes to train that person — and now the electrician who comes in the construction sector will be under the old program, the old rules, and they're going to perhaps end up working side by side, doing the same job. How does that make any sense? It doesn't make any sense to me that there are going to be two sets of rules

that are going to cover two people who are doing the same job and both call themselves electricians.

I asked one presenter in the city of Windsor who happened to be a lawyer, who was advocating this skill-set-based training, "Do you think people really want to have a lawyer who only is trained in providing services in no-fault divorces or wills?" I don't think we want to have people calling themselves lawyers who only know how to do one or two things. One of the advantages of being trained as a lawyer is that you have a broad base of skills. Generally, you have to have an undergraduate degree, then you have three years of training at law school, then you have to work for a lawyer for another year and then you have to do the bar admissions course. So you have a wide range of skills.

That is similar to what a number of skilled tradespeople do in becoming skilled tradespeople. They have skills that are recognizable and transferable, and because of those skills, they're mobile, they're journeypersons. That's why they're called journeypersons. They can travel to wherever it is that the jobs may be, whether they be in another city or in another province and, to a great extent, in another country. People who are construction workers in Ontario are recognized throughout the world. Construction workers from Ontario are recognized for the quality of the work they do in many other countries in the world and because of that are in great demand.

Right now in the southern United States, where they've gone down this road — the lowering standards road, the de-skilling road, the privatization of training road — we see that they have a critical shortage of skilled construction workers. Through deregulation, they left it to the private sector construction industries to train their own workers. So what happened? All the work went to those non-unionized workplaces that could offer a lower price for the work they did. Because they offered a lower price, they didn't have the income to provide the training, but they were able to get the skilled workers because they took them from the unionized side and got them to come to work for them. What happened is that the unionized sector lost all the work. They couldn't provide the training any longer. Nobody was providing the training and now they have a shortage of people to do construction in the southern United States.

That comes from a study that was provided to us during the hearings from the business round table: Confronting the Skilled Construction Workforce Shortage: A Blueprint for the Future. One of the things this document does is to suggest that there should be more mandatory skills training programs for apprentices. What we're doing here with Bill 55 is moving in the absolute different direction. We're saying: "We don't think anything should be mandated any longer. It should all be voluntary. Leave it to the private sector. They'll determine the best way of providing more skilled workers in Ontario."

But it isn't going to work. I don't want to live in an Ontario where 10 years down the road we find we have a shortage of people who are skilled in providing those services that we need to have a healthy economy. I don't

want to see an Ontario where public safety is put at risk because those who call themselves skilled tradespersons don't have appropriate training.

I don't want to see our environment threatened because those who are doing work in our homes, in our nuclear plants, in water filtration plants, don't have the proper training to ensure that there aren't spills that take place into the air, into the land and into the water as well.

I don't want to see young people encouraged to leave high school at an early age because they think they're going to end up with some sort of skill that will enable them to move from one employer to another, because that isn't what's going to happen. What will happen is that employers will have people trained in one specific skill, one small aspect of a job that they just happen to have a need for at some particular point in time. But what happens when that job is no longer required? Those people are no longer needed. They don't have a skill that they can go to another employer down the street and say, "Look, I have this skill; will you please give me a job?" because that isn't a skill that's going to be recognized by another employer. That is the problem with having an apprenticeship system that is based on skill sets.

As I indicated, there is an acknowledged shortage of skilled people in various areas, for example, tool and die makers, mould makers, but this legislation, Bill 55, isn't going to address that shortage.

What the bill says is that for the first time apprentices are going to have to pay tuition. I know my friend the parliamentary assistant said during the hearings, and he said it again this evening, that Bill 55 doesn't say anything in it about imposing tuition fees on apprentices. That may be true, but it doesn't say anything to prohibit the imposition of tuition on apprentices as well. Once again, the government is saying, "Trust us."

The Speaker (Hon Chris Stockwell): At exactly 11:17 pm, pursuant to the order of the House dated October 14, I'm now required to put the question.

Mr Smith has moved third reading of Bill 55. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. It will be a five-minute bell.

Mr Douglas B. Ford (Etobicoke-Humber): Mr Speaker —

The Speaker: OK, give it to me, Doug.

Pursuant to standing order 28(h), there is a request that Bill 55 be deferred until December 16, 1998.

Mr Bradley: Is that legal?

The Speaker: Yes.

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SUPPLY ACT, 1998

LOI DE CRÉDITS DE 1998

Mr Baird, on behalf of Mr Eves, moved second reading of the following bill:

Bill 96, An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 1999 / *Projet de loi 96, Loi autorisant le paiement de certaines sommes destinées à la fonction publique pour l'exercice se terminant le 31 mars 1999.*

Mr John R. Baird (Nepean): I would like to speak in favour of Bill 96, the Supply Act, 1998. Bill 96 provides the final legislative authority for the spending set out in the estimates and supplementary estimates for the 1998-99 fiscal year. It gives final legislative confirmation to the provisions of the interim supply motions for this fiscal year, which members will remember we passed some time ago, extending interim supply through the end of March of this year and indeed the end of the fiscal year. These motions gave the government interim authority "to pay the salaries of civil servants and other necessary payments pending the voting of supply."

Supply bills are a normal part of the government spending process. However, the expenditures approved in Bill 96 reflect this government's commitment to preserve Ontario's quality of life.

We know we are spending taxpayers' money, not ours, and we are accountable for every dollar the government spends. We are investing to strengthen health care and in educating our children. We are investing in jobs for the future and to help working families with young children. We're investing to help welfare recipients continue to find routes to jobs and independence.

I'm very pleased to say that since June 1995 more than 357,000 people have stopped relying on welfare in Ontario. Indeed, that is very good news for the taxpayers of Ontario and good news for those people who are able to provide for themselves and their families. It marks a very different scene in Ontario than we saw in the past. In the 1980s when economic times got good, as more people worked and as the labour market heated up, what we saw in this province was a very unusual trend. We saw more people go on welfare when unemployment fell, which was a rather shocking instance that happened when the Liberal government increased welfare expenditures at such a rate. I think the Treasurer of the day, Robert Nixon, later would say that they just threw money at the problem, and I surely would share that characterization of Mr Nixon.

We have made government do business like a business and focused on results and putting the customer first. Over the last three years, Ontarians have worked together to get this province back on track. This government cut taxes 66 times. We cut personal income taxes. Ontario had one of the highest income tax rates in Canada when we were elected just three and a half years ago.

Mr Douglas B. Ford (Etobicoke-Humber): The highest.

Mr Baird: The highest, the member for Etobicoke-Humber says, and we now have the lowest in Canada. That is indeed a positive signal to send to the world, that people in Ontario keep more of their hard-earned tax dollars, as they can in other provinces. That as well gave people, hard-working taxpayers, the first real increase they'd had in many years. Far too many taxpayers I spoke

to, whether they be in Bells Corners, Barrhaven, Manordale or Nepean, were working harder and harder and getting to take less and less money home, and there was a real concern about that. I talked to one parent with two kids in Barrhaven in November 1994, and when his kids needed a new winter coat and new winter boots, that put a real strain on the family's finances. We wanted to try to improve that family's bottom line to ensure that they had more money to meet their family's needs. There are a lot of hard-working families out there, two-income families, they both work hard and they simply don't have enough money. Once they pay the family's mortgage and make the car payments, they're lucky to have enough money to pay the rest of their bills and put food on the table.

The tax cut was one of the first opportunities since 1989 where people were able to get a real increase in their take-home pay. But as much work as we've done, work remains. People's take-home pay is still less in real terms than it was in 1989, which points to the need that we've got to work harder to deliver for hard-working families in Ontario.

We've also reduced the deficit. When you look at the burden of debt that the taxpayers of Ontario were facing, \$11.6 billion, and that went up very quickly —

Mr John Gerretsen (Kingston and The Islands): Why don't you say how much you've added?

Mr Baird: The member for Kingston and The Islands says, see how much has been added to the debt. I can recall the 1990 election campaign when Liberal candidates scoured around the province of Ontario and proclaimed that for 1990-91 there was a balanced budget. I'd like to ask the member for Cochrane North if there was a balanced budget when he and his colleagues showed up in government.

Mr Len Wood (Cochrane North): The cupboard was bare and there was a \$4-billion debt.

Mr Baird: The cupboard was bare and there was a \$4-billion debt. The \$4-billion debt is a funny thing. It developed and arose in three short weeks. To Floyd Laughren's credit, he didn't point fingers. He just said that he would have to deal with it. But it's important to remember that that \$4-billion deficit was so different from the story we had heard just a month previously during the election campaign when the Liberal Party boasted that the province had a balanced budget. The member for Cochrane North laughs, but it's not a funny story; it's a sad story. Then when the recession started, and the NDP government couldn't hope to keep spending at the level that David Peterson's Liberals had racked it up to.

The deficit has been reduced from \$11.3 billion. This Minister of Finance, Ernie Eves, and this Premier, Mike Harris, have been able to make every single deficit reduction target that they've set. They've also exceeded it. The good news is that the forecast is that the debt is going down, that we'll be able to balance the budget at some time over the next fiscal year. That'll be good news for taxpayers, whether they be in Rainy River or whether they be in Bells Corners. This government also restored sound fiscal management practices.

Going back to the debt, that debt is also good news for young people in Windsor; good news for a birthday boy named Brett down in Windsor.

We refocused core spending and reinvented the way government works. With the Amethyst Awards that were presented this past season, we saw the extraordinary contribution of a good number of public servants in Ontario. We looked at the story of Indra Singh, who had worked with the Ministry of Consumer and Commercial Relations up at the office in Thunder Bay and who really deserves a terrific amount of credit for the extraordinary efforts of employees at the Ministry of Consumer and Commercial Relations offices over in Thunder Bay in delivering good-quality services for the people of Ontario at less of a cost. Indeed, that is good news, and we congratulate those hard-working public servants who have been able to focus their efforts on core issues and have reinvented the way government works. That, of course, is good news for the taxpayers of Ontario.

This bill that we're dealing with, Bill 96, deals with the ability of the government to make certain payments, including the payment of the civil service here in Ontario. Some people like to focus on the problems that they have with government, but the good news is, if you look at the results that many departments have been able to achieve, they really are commendable. I would like to join my colleagues on this side of the House in congratulating those successful public servants who were honoured with Amethyst Awards this past year. They deserve a terrific amount of credit.

The changes the government needed to make since 1995 have not always been easy. The actions we took have positioned Ontario to continue to grow and to create jobs. The results have been remarkable. Over the past three years, economic growth in Ontario has become both stronger and more broadly based. That is good news particularly for my part of the province in eastern Ontario. Eastern Ontario has led Ontario in job creation over the last number of months, and that is indeed good news.

In my home community of Ottawa-Carleton we've seen unemployment go down to 6.9%. When I was first elected in 1995, at one point the unemployment rate had gone to 10.9%, but the Ottawa-Carleton economy has responded. They've had to deal with some difficult challenges. The federal Liberal government, while they promised not to, cut the size of the public service in the federal domain by some 45,000; and in Ottawa-Carleton we saw about a third of that, 15,000. That was a tremendous blow to the local economy, but the community responded.

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We've seen some particularly spectacular growth in the west end of the region with the high-tech sector, where companies like JetForm, under the able leadership of president and CEO John Kelly, have done extraordinarily well. Of course, Nortel in Nepean, particularly in Bells Corners, with their quarter-of-a-billion-dollar expansion has done quite well. Pfizer pharmaceuticals in Arnprior is expanding to create jobs and will be producing a lot of Viagra in Arnprior, Ontario. So there are new signs of

growth in the Ontario economy out in the great riding of Lanark-Renfrew, which my colleague Leo Jordan represents. We've looked at the expansion going on at JDS Fitel in Nepean at the South Merivale Industrial Park. Thank goodness the city council in Nepean had the foresight to look at some of these issues, to plan for economic growth into the future, and that has gone forward.

There has been a good amount of success with local small enterprises that have been able to hire a few more jobs. In Nepean, certainly, small business is the economic engine of our economy, and it's indeed good news with a lot of small businesses expanding, particularly in the retail sector, and right across the province. We've seen 80% of the net new jobs created in Ontario created in small business. We've got to do more to help small business. Capping their taxes and any assessment-related increases is one way. Cutting corporate income taxes for small businesses is important as well. We're doing that by cutting them by 50%, as announced in this budget, and that will help those hard-working entrepreneurs who put it all on the line.

I spoke to a restaurant owner in my constituency, Mr Speaker, you'll be interested to know. Three people went into business and formed a restaurant in 1990 at the height of the recession, and they were able to put all of their talents and energy and enthusiasm into making this work. You might be surprised to learn that they had to put mortgages on their homes to get the financing to make that dream reality. Today they're employing more than 60 people in that restaurant, and that's indeed good news. That's a result of the hard-working entrepreneurial spirit of the small business people in my community.

That's why we're eliminating the employer health tax for small businesses with a payroll of under \$400,000. One of the concerns that restaurant raised with me during the election campaign was the Workplace Health and Safety Agency, which I know both the Liberal and the Conservative parties promised to dismantle after the election. Of course, repealing Bill 40, the NDP's job-killing labour legislation, was another important part of really creating jobs. There was an issue that a lot of folks out there just didn't believe would happen. They said, "Killing Bill 40, they'll never do it."

I can recall back in 1992 the leader of the Conservative Party, Mike Harris, took out an ad in the *Globe and Mail* and said simply "We will repeal Bill 40." The good news is they were able to repeal that. That was, of course, then an important signal around the world that Ontario was open for jobs, we were open for investment. That was indeed very positive. Since we've taken these actions the economy has responded with jobs, with growth, and I think with a renewed sense of optimism and confidence, and that is indeed good news.

Since the 1995 speech from the throne, the Ontario economy has added 461,000 net new private sector jobs. This is 49.7% of the jobs created in Canada, one out of two jobs created in Canada during this period. That's quite amazing, even though Ontario accounts for about 38% of the nation's population. Something is going on in

Ontario that we just frankly aren't seeing in other parts of the country. That's good news, because Ontario was particularly hard hit by the recession. The economic rebound that we saw starting in September 1995 when this government put forward its legislative agenda — the economy has certainly responded well.

Some people say, "The American economy is responsible for this," or, "Low interest rates are responsible for this." Some people argue that there's nothing the provincial government can do with the economy. That's something we reject. We believe we can set a climate for economic growth and for investment and job creation. We reject the notion that all the decisions are simply taken in Washington or taken by the governor of the Bank of Canada in terms of what interest rates are going to be. While interest rates are important, Gordon Thiessen, who is a resident of my constituency in Nepean, doesn't deserve all the credit. There are a number of other factors which go into setting the climate for job creation.

A recent Statistics Canada study notes that since 1995, Ontario's job gains have outpaced job growth in the United States. Total Ontario employment has risen 8.4%, almost one full percentage point ahead of the US job gain of 7.5%. That is indeed good news. It's good news for people who had lacked hope.

One of the things I discovered when I was a candidate in the last general election was that economic growth and job creation weren't necessarily the number one issue. What was even worse for those people who were looking for a job was the lack of hope and opportunity that people had for the future. I talked to a mother who was worried about her son, who was attending community college, whether he would ever be able to get a job at the end of his studies. Indeed, that was a concern for her. I talked to a gentleman who was 55 years old and worried about whether he would have a job in six months or a year. It was far greater than those people who were specifically unemployed, because I think there's a tale, a human cost that doesn't necessarily appear in the unemployment rate.

I think what we've seen over the last three years is indeed putting some hope and optimism in the future, that the future is brighter, and that's been seen most evidently in the consumer confidence numbers, which have been very positive indeed for the economy. Over the past 20 months Ontario's employment gains have accelerated. Total employment in Ontario rose 6.8%, well ahead of the US growth, which was only 4.1% in that same period. Ontario's unemployment rate is now 6.9%, down from 8.9% when this government took office and well below the national unemployment rate of 8%, which has been stubbornly high. It's funny that between 1993 and 1995 there wasn't any substantial progress in job creation in the province, even some two years into the reign of the incumbent Liberal government.

Over the past three years the economy has performed well in the province. As I referred to earlier, consumer spending has increased by some 3.6% per year. This is triple the rate of growth in the first half of the decade. We see something happening in Ontario in the latter part of

this decade that didn't happen before, and that's good news. Consumer spending is an important symbol, because we can talk about a whole host of specifics put out by an alphabet soup of organizations, whether it's the OECD or the World Bank or Statistics Canada, but consumer confidence, consumer spending is an important number. What that says is what the average consumer is feeling, and that's good news because that talks about wider growth in the economy.

Business investment has increased by 7.3% per year, and that's indeed a sign of confidence. Housing starts have increased by 27%, and that's indeed good news. I look at my constituency and I see the solid job growth gain in the construction sector. Whether it's in Barrhaven, Longfields, Davidson Heights or Centrepoinette, we've seen a lot of new construction.

There has been one problem for workers in my community of Ottawa-Carleton who haven't been able to get jobs in the construction industry, and it's the whole issue of labour mobility. That's a real concern for us. In the throne speech recently there was a commitment by the government of Ontario to examine what the results were of the agreement signed in 1996 between Ontario and Quebec.

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Shortly following the Quebec election campaign, the Premier of Ontario was in Navan, Ontario, just on Friday in fact, to announce that the government of Ontario had set a deadline of April 1. Premier Harris has written his colleague and counterpart Lucien Bouchard to indicate that he would like to see these issues resolved by April 1, and that if it's not resolved by April 1, the government of Ontario and this Legislature would be presented with a bill or regulations in some form to mirror the type of regulations that workers from Ontario have to face in Quebec. What we want out of that is just an honest, level playing field. That's something that's exceptionally important, that our workers would have the fair crack at the jobs in Quebec that the Quebec workers have in Ontario. That's something we believe strongly in.

It goes far beyond just Ontario workers having access to Quebec, though, because we find that a lot of Quebec contractors and Quebec companies, when making bids in Ontario, often have a differential if they're not party to the health and safety laws of the province of Ontario. The Occupational Health and Safety Act, a very important piece of legislation, really sets the minimum standards for occupational health and safety in Ontario. We expect a firm, whether it's based in Brockville or Nepean or Navan or Russell, to obey the rules and laws that the companies in Ontario have to abide by.

As well, we have Workers' Compensation Board premiums. In Ontario we have a system where if you're a worker injured on the job, you're entitled to compensation. The employer makes those contributions and the employee, of course, gives up the right to sue and the long-standing obligation. Too often we hear reports that while companies in Ontario have to pay, sometimes contractors who come from Quebec are not making their payments. That is a real concern.

The final one, of course, is the provincial sales tax. I hear anecdotal stories from contractors, whether they be roofing or sheet metal, whether they be carpentry or electrician, that sometimes their materials are shipped to Quebec and then brought back to Ontario. That gives a cost differential.

Whether it's the provincial sales tax, whether it's Ontario's Occupational Health and Safety Act, whether it's the Workers' Compensation Board, we've made a commitment to a number of areas. That a firm from outside the province of Ontario could come and do business in Ontario and somehow not play on the same level playing field as an Ontario firm is simply unconscionable.

This is certainly the case for me in my constituency in Nepean, where the best example is two high schools, one just completed construction and a second one, John McCrae secondary school, underway in Barrhaven. We want to ensure that those Quebec contractors live up to the same obligations. It may cost a little bit more; health and safety is important and it may cost a little bit more to do it safely, but in the long run we believe that it will cost less and it's important that the benefits be achieved. So that's one level that the government is dealing with.

The economy continued to perform well in 1998. In the first six months, real GDP grew at 4.8% over the same period last year.

While a great deal has been accomplished to date, the job is not yet done. The deficit for 1998-99 will decline to \$3.6 billion from the \$4.2 billion projected in the 1998 budget. We exceeded our deficit reduction target three years in a row, and this year will make it a fourth year in a row. That is important. The deficit will be balanced at some point over the next fiscal year. That is indeed good news for the hard-working taxpayers of the province of Ontario.

The Speaker (Hon Chris Stockwell): Questions and comments?

Mr Gerretsen: I find it rather interesting that this member should be presenting the supply bill, which deals with the finances of the province of Ontario, and he talks about the hard-working taxpayers of the province of Ontario. Maybe he could explain to the members in this House why he championed the settlement that was reached in the Al Mclean case of \$600,000. The hard-earning taxpayers of the province would want an explanation as to why he felt it was necessary to in effect spend \$600,000 of their hard-earned money for a settlement that was recommended against by the solicitors for the Legislative Assembly.

I find it rather curious that the exact same offer that Al Mclean's lawyer made to the lawyers for the Legislative Assembly, which the lawyers for the Legislative Assembly turned down because they realized it was such a ridiculous offer, he, together with two of his colleagues, would present in the Board of Internal Economy as being something that was totally rational as far as they were concerned. It's not rational. If he's so concerned about the taxpayers of Ontario, then maybe he should explain to those same taxpayers why, against the best advice that's

out there from a variety of different sources, including three different law firms in Toronto that have been retained on this matter by the Legislative Assembly — they all felt there was no liability at all on the Legislative Assembly — it was necessary for him and the members of government to pay out —

Mr James J. Bradley (St Catharines): For the private detective.

Mr Gerretsen: Including the private detective who was hired by Al McLean. If he's really that concerned about the taxpayers of Ontario, why doesn't he say something publicly in this House? He's had an awful lot to say to the various news media that have been out there. We've been watching the various clips and he's been very talkative about it but he hasn't said a darn word about that settlement in this House.

I challenge the member in this House to make a complete and open statement as to why he supported and indeed championed the payment of \$600,000 in a case where no money should have been paid whatsoever. No money should have been paid out of the hard-earned money of the taxpayers of Ontario.

Mr Doug Galt (Northumberland): I certainly enjoyed the speech presented by the member for Nepean. It was very complete and covered a lot of areas, a lot of things that are happening in Ontario. He brought things to mind about the hard-working Ontarians and how they deserve a tax break, and certainly we've been talking about that for some time.

He talked about the Liberal government back in the 1990s bragging about having a balanced budget when in fact we all know what happened when the NDP took over and found out it had something like a \$4-billion deficit that particular year. We really didn't improve too much because then the NDP came along and ran two sets of books. It was awfully difficult to really know what was happening.

It's interesting to note that the member was commenting about the deficit. We took over an \$11.3-billion deficit, which is well over \$1,000 for every man, woman and child in this province that we were spending, that we were not taking in each year. We all know that in our own families, with our own income at home we just can't keep adding to the mortgage. You might compare the debt to a mortgage, and a deficit is what we're adding to it each year. Most people try to pay off their mortgage rather than add to a mortgage, and that's really what's been happening in this province for way too long.

I was thrilled the other day, as a matter of fact yesterday, that the Premier brought in balanced budget legislation. It's certainly way overdue. It should have been brought in a long time ago, back in the 1980s. It should have been here actually with the Constitution, if you want to get right down to it. The municipalities and school boards have had this forever. They're not allowed to run a significant deficit or to run a significant surplus. They're supposed to operate with a balanced budget from year to year. It's unfortunate that both the federal and provincial governments could not do the same thing.

Mr Jean-Marc Lalonde (Prescott and Russell): I was sitting in my office and I was listening to the member for Nepean. I think he will have to familiarize himself with this project that the Premier has at hand at the present time.

I just want to tell him that his own ministry has said to every school board and also every agency in Ontario that tendering for schools or government buildings has to be open to a Quebec-based contractor. If you're talking of losing money, you are losing money because we cannot go on the other side, but you're inviting them to come on this side.

He also mentioned that the people in Quebec are buying the materials in Ontario and shipping them back to Quebec and back to Ontario. They don't have to do that any more, member for Nepean. They just send the invoice to Quebec and deliver the materials directly to the job site.

I'd just like to tell you that the member for Nepean is like the Premier and also the Minister of Labour. They're talking about this project, trying to stop construction workers from Quebec from coming into Ontario, but I think they will have to sit down and study the whole project. I've been studying it for the last three and a half years and they've been doing it for three days; they've been studying it for only three days.

It's like any other thing in this government here: They're trying to push ahead everything as soon as they put their hands on something and all of a sudden they have to start all over again. Everything is done to try and recoup the 30% tax cut that they have given to their friends in Ontario.

I think once again the member for Nepean will have to do his own homework first and also clean up his own department of the ministry he's working for.

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Mr Bud Wildman (Algoma): I should confess that, unlike the member for Prescott and Russell, I was here and I wasn't listening to the member, but I did catch a few phrases here and there. What concerns me about the member's presentation, as I heard it, was that he was indicating that the fiscal policy of this government was so beneficial for the province, yet he didn't include in his comments the fact that he, as a member of the Board of Internal Economy that runs this place, along with his colleagues in the majority on that committee, apparently authorized the expenditure of \$600,000 for a settlement, including \$130,000 or so in legal expenses for a member of the Legislature, to settle a civil suit.

We now know that the Board of Internal Economy did not ask for those legal fees to be taxed. There was no attempt to determine specifically what the lawyers were charging for. We further now know that apparently those legal fees for the member for Simcoe East included the cost of a number of gumshoes who went around and spied on the complainant in the case to try to find some sort of evidence that might hurt her credibility. I find it strange that a government that purports to protect the taxpayer would have members on the Board of Internal Economy who would authorize the expenditure of these funds to

settle a private suit and not even care about ensuring that these funds were spent in a way that was fair to the complainant.

The Speaker: Response.

Mr Baird: I want to thank my colleagues from Kingston and The Islands, Northumberland, Prescott and Russell, and Algoma for their comments on the bill, particularly the member for Northumberland who talked about my comments and about the hard-working taxpayers of Ontario and how we can't forget them.

I want to deal very specifically with the comments made by my friend from eastern Ontario with respect to one of the things in my speech. We just want fair trade, to the member for Prescott and Russell. We want to be ensured that there's a level playing field. The interprovincial agreement on public sector procurement is a very important agreement. We want fair trade. It's not about putting up barriers to Quebec companies being able to do business in Ontario. We support free trade, but we support fair trade.

What the Premier of Ontario said very clearly and specifically was that what he's going to say is that Quebec workers and Quebec contractors and the government of Quebec have got to give equal access to our contractors and our workers that they get in Ontario. If they don't, we're going to put up a myriad of regulations and barriers so that they would face similar constraints here in Ontario, and then and only then, I believe the government of Quebec would concede that they've got to provide a level playing field. We support free trade. We think it will lead to a higher standard of living on both sides of the Ottawa River.

The Speaker: Further debate?

Mr Sean G. Conway (Renfrew North): I rise to address some comments to Bill 96, the effect of which is to finalize the payment of \$52,386,596,000 for the public expenses of Her Majesty's Ontario government for the period April 1, 1998, through March 31, 1999, for those expenditures provided for in the estimates and set out in the schedule appended to the aforementioned bill. It is an interesting schedule. I suggest members might, if they haven't done so, look at the supply schedule on the back page of Bill 96 because it very neatly sets out the monies that we will formally approve with the passage of this particular supply bill.

There is an old adage in our British parliamentary system that goes something like this: "No supply without a redress of grievance." I think it is a useful maxim to recall on occasions like this because we have fewer occasions than we used to have to debate issues that are contained in a bill as comprehensive as the supply bill.

I just draw to members' attention that in the schedule of Bill 96 is an appropriation of \$103,996,200, representing the amount of money provided for in the estimates of the Office of the Assembly; more about that later.

This is an opportunity for Parliament, as an institution, to put on the floor of the chamber concerns, individual and collective, that we have as members or as representatives of people who can't be here but who pay all of this freight,

and let me repeat, it's \$52,386,596,000, a lot of money, ranging from a total in the Ministry of Health of \$20.177 billion down to the chief elections office, \$907,000, for 1998-99. Why do I think that next year we'll be dealing with a supply bill that will have a considerably larger estimate and appropriation for the office of the chief electoral officer?

Mr Lalonde: It's going to be easy when we form the government.

Mr Conway: Well, whoever forms the government is simply going to have to pay the bills for having run the election. I simply make the point that the supply bill covers the entire waterfront of expenditures.

I was also noting in the schedule that we're finalizing the approval, for the budget year in which we now find ourselves, of supplementary estimates that on the operating side are \$1.051 billion and on the capital side are \$11.8 million.

As the auditor has observed, it's getting very difficult to follow the money. The current Minister of Finance has been criticized for appropriating monies and then parking them. Presumably in a year or two or three there will be some mechanism for the Legislature to see precisely how those monies were spent. I suspect at the present time we are looking at numbers that hide as much as they reveal. I didn't bring the auditor's report in with me tonight but I will certainly talk a little more about this when we return to this item later in the week.

We know we are in the final months of the current mandate. The expectation is that there will be an election sometime within the next six to 12 months. This government is certainly doing what all governments have done, and that is, like a good groundhog or some kind of wintering animal, trying to stock up as much in reserve as possible and spend feverishly through the course of the pre-election period and then announce a drought and a famine the morning after the election so that there can be some balancing of the accounts.

I think there is a very real concern for anyone who cares about the traditional role of Parliament in the voting of supply. I say that quite cynically, because I don't think there's much of an interest left in this institution in the old supply function. It used to be the most central role that parliaments had. There was a time, probably before I got here but even when I got here in the mid 1970s, that this was a debate that used to activate quite a lot of interest. It just doesn't any more, for a variety of reasons. It's a trend that's been ongoing for some years now.

I often think what you could actually put in one of these supply bills and get away with. It reminds me of a professor friend of mine who sometimes tells me about what some of his students will put on page 6 of a 10- or 12-page essay, thinking that the preceptor, the marker, just won't bother to read the middle part of the text. On more than one occasion I hear that some rather remarkable things have been inserted in the middle of a term paper, essay or whatever, and have successfully eluded the attention of a very busy invigilator or marker.

The member for Nepean I thought might have had something to say about municipal reorganization in the national capital region. He doesn't want to talk about a matter that my friend from Kingston raised, understandably. The member for Nepean is such a wonderful representative of the new religion of modern politics. He is like one of these little Mattel dolls: You insert the program and wind it up and away it goes. It is quite wonderful.

He's probably one of the very best. He brings a lifetime of varied experience in a variety of workplaces as he opines on all of these matters of public and private expenditure. He was, as my friend from Kingston will tell you, famous for a very arduous destiny in Kingston years ago where he toiled in a variety of very — I'm sure the member from Belleville has walked the walk in the private

sector with the member from Nepean. These new acolytes of this new religion, this received wisdom from the Fraser Institute — it's quite remarkable. It makes politics a lot easier. You just go out one morning, look into the sky and wait for the burning bush to reveal all wisdom. You don't have to think a great deal. You've got the received wisdom. It's clear. It's seared into the front lobe and the back recess of your brain, and on cue, morning, afternoon and eventide, you can simply, on the mark, offer up the goods, whether it's on fiscal probity, on transportation policy, on partnerships in health care, you name it.

Mr Speaker, I now adjourn this debate.

The Speaker: It being 12 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 0003.

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of Ontario

Second Session, 36th Parliament

Assemblée législative
de l'Ontario

Deuxième session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 16 December 1998

Mercredi 16 décembre 1998

Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 16 December 1998

*The House met at 1331.
Prayers.*

MEMBERS' STATEMENTS

CITY OF KINGSTON

Mr John Gerretsen (Kingston and The Islands): Mr Speaker, I would like to draw to your attention and to the attention of the members of the House a group of residents in my riding who have come together under the leadership of Mr Ian Milne and Mrs Margaret Angus to form Kingston, First Capital. It is fitting that these people who have worked so hard should be rewarded by having Kingston officially recognized as Canada's first capital.

From 1841 to 1843, Kingston was home to Canada's first Legislature for the United Province of Canada. I know many in this House will be interested in knowing that Kingston was chosen over Montreal, Quebec City, Bytown and Toronto. In fact, the first seat of government still stands today and is known as the Kingston General Hospital.

With the approach of the millennium, it is time for both the provincial and federal governments to officially recognize Kingston as the first capital of Canada. Our city council has passed a motion in support of the designation, requesting endorsement by both the federal and provincial governments. The federal government has already done so.

As our country matures, Kingston's historical significance must not be forgotten. What an opportunity for school children travelling to our nation's capital to be able to make the stop in Kingston and see where our country's government actually began. Imagine young and old alike being able to see the place where our democratic roots began and then to move on to see where our laws are made today in Ottawa, all this in one trip, an opportunity to build pride in our country and an understanding of our roots.

Mr Speaker, I know that you and all the members of this House support First Capital, Kingston. Your support will be part of our evolving history.

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Alex Cullen (Ottawa West): "Getting to work, borrowing a book from the library, using a pay phone, going to the movies, eating in a restaurant.

"These seem like ordinary activities to most citizens, but this is not the case for many Ontarians. Barriers can

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 16 décembre 1998

prevent Ontarians with disabilities from participating in the community."

These are the opening lines from the introduction of the discussion paper issued last July by the Ministry of Citizenship, Culture and Recreation, entitled Preventing and Removing Barriers for Ontarians with Disabilities, as the basis for a new Ontarians with Disabilities Act.

Members of the disabled community, in Ottawa-Carleton and across Ontario, became energized and involved as the possibility of a real advance in reducing barriers seemed possible. I remember well attending a meeting held in August at the Canadian National Institute for the Blind in Ottawa and hearing from various members of the disabled community about their ideas for a barrier-free Ontario.

Alas, how cruel was the government's deception. We all know today how empty Bill 83 is, how it only has the government reviewing its policies, a far cry from what was promised in the fine words of the discussion paper.

The reaction from the disabled community has been one of betrayal. Last night, at the Bob Rumbal Centre for the Deaf, some 100 people with disabilities — the hard of hearing, the deaf and the mobility impaired — spoke about how Premier Harris had "scrooged" Ontarians with disabilities. They want a real Ontarians with Disabilities Act, not this toothless Bill 83, but a real act with real targets to reduce barriers, with real timelines and real mechanisms for enforcement.

We in the NDP agree with them, and if the Harris government won't do it, we will.

YOUNG OFFENDERS

Mr Tim Hudak (Niagara South): I am pleased to rise in the House today to urge the government of Ontario and the Ministry of the Attorney General to select Port Colborne as a community youth justice committee pilot location.

A community youth justice committee would allow direct participation of the community in the youth justice system by allowing tribunals of respected community members to determine appropriate punishment for first-time young offenders who have committed a minor crime like shoplifting or vandalism. A youth justice committee can also determine the method of restitution to the victims of youth crime.

In January, I brought the Crime Control Commission to Port Colborne to hear from the people about how to fight crime. The commission was very impressed by a presentation from the healthy lifestyles coalition and even

quoted them in the commission's Report on Youth Crime. After the Report on Youth Crime was released, I set up a meeting right here in Toronto with the Crime Control Commission and members of the Port Colborne committee. In fact today representatives of the Attorney General are meeting in Port Colborne with Pat Johns to discuss furthering this initiative.

Thanks to the hard work of members of the community like Pat Johns, Brian Simpson and all those at the Port Colborne Wainfleet Healthy Lifestyles Coalition, the people of Port Colborne have proposed a solid structure for a Port Colborne youth justice committee. They are prepared to take on that pilot project right away.

I would like to call again on the government and the Ministry of the Attorney General to follow through on this idea and establish a youth justice committee in Port Colborne in 1999.

HOME CARE

Mr John C. Cleary (Cornwall): The verdict is in: The public opposes this government's policies that are threatening community nursing services in eastern Ontario.

An opinion poll recently released by the Ontario Nurses' Association reveals that Ontario residents are deeply concerned about the declining level of health care in their communities. About 90% of those surveyed are worried about the fact that patients are being released from hospitals too soon and they have trouble getting the intensive home nursing they need.

They are opposed to the government's for-profit policies that have forced the cancellation of the nursing services of the eastern Ontario branch of the VON. The government's policy of privatization of home care services has made it virtually impossible for non-profit service providers like the VON to compete against for-profit organizations. One has to ask, why should the VON lower its standards to be competitive?

Who is really paying the price? It's the patients, the frail, the elderly and patients discharged early from the hospital. They are really the victims. Minister Witmer doesn't get it.

I have here an article from today's Freeholder where the local minister, Minister Villeneuve, proudly says, "There's nothing like sitting at the cabinet table, which holds the purse strings for the budget, to make things happen." If this is true, why is he and his government putting the VON out of business?

Listen to the public and our front-line nurses —

The Speaker (Hon Chris Stockwell): Statements.

CHILDREN'S SERVICES

Mr Tony Silipo (Dovercourt): I want to bring today to the attention of members of the House and particularly the Minister of Community and Social Services a situation that has been going on now for nine weeks at the Earls court Child and Family Centre. This is a centre that services vulnerable children. Some 900 children with a

range of behavioural problems are serviced at the centre. For the last nine weeks, the 28 staff members who provide these important services, members of OPSEU, local 567, have been on a legal strike and unfortunately it seems the parties are not able to come together.

I wanted to bring to the minister's attention particularly today what is happening to many of these young people, children who have been hit with cutbacks in social assistance, affordable housing and rent control by this government, with cutbacks in our school system, with growing problems that these children and many others are facing. For the nine weeks now that there has been a strike, there has not been an ability for these services to be provided as they should be, the full scale of services to these children.

I want to call upon the minister today to take her responsibility seriously in ensuring that as negotiations resume through a mediator on Friday this impasse is resolved, and if that is not resolved, that she will take steps to bring the parties together until a solution is found to the impasse between management and the workers so that these important services can be restored for these 900 children who are desperately in need of the support their staff can give them.

1340

CARSON ELLIOTT MEMORIAL DINNER

Mr John O'Toole (Durham East): On Friday, December 11, I had the opportunity to attend the Carson Elliott Memorial Dinner in my riding of Durham East. This event was a no-charge, sit-down Christmas dinner for the community's seniors, shut-ins and people in need.

Volunteers fed over 135 needy people at St Joseph's Church in Bowmanville. As well, an additional 100 people benefited from the leftovers, which were taken to local nursing homes and Bethesda House, a shelter for battered women.

The dinner was dedicated to Carson Elliott, a well-known person in the community for his support of charitable causes. He was a character and a popular councillor for the municipality of Clarington, and although he may have passed away this summer, it is clear that his spirit lives on.

In memory of Carson Elliott, a group of friends and associates organized a dinner. It was indeed a special opportunity for those who may not otherwise have been able to get out and enjoy the spirit of the season.

During the festive season, it is important to reflect on the message Carson Elliott had that should go on today. The message is charity.

I would like to recognize and thank the many volunteers who contributed to the success of the Carson Elliott Memorial Dinner. In particular, I would like to thank Viv Woolford, George Khouri, Bruce McPherson, Saverio Montemarano, Henry Downing and Betty Downing and a number of other community people. Their hard work, dedication and generosity have touched many people's lives.

I truly hope that this becomes an annual event. I was pleased to participate in this past dinner, and I welcome all members to congratulate the contribution of these citizens.

LAND USE PLANNING

Mr Michael A. Brown (Algoma-Manitoulin): I've just stepped in from a large rally of concerned leaders from northern Ontario. The rally included people like Lloyd Martin, the mayor of Thessalon; Jean-Claude Caron, the mayor of Kapuskasing; Fred Poulin, the mayor of Smooth Rock Falls; Don Genier, from Cochrane; Vic Power, from Timmins; Ken Graham, from Iroquois Falls; Duncan Wilson, of Red Lake; Roger Valley, from Dryden; Calvin Winkler, from Kenora; Ingrid Parkes, from Keewatin; David Canfield, from Jaffray and Melick; Eric Rutherford, from Beardmore; Jim Desmarais, from Ear Falls; Blair Hutchins, from the Kenora Chamber of Commerce; Randy McLaren, township of Bonfield; Dean Backer, from Mattawa; Carol Jeske, from Mattawa; Charlie Swift, from Sault Ste Marie; Gilles Forget, from Iroquois Falls; people from Marathon, from Terrace Bay; Bob Krause, from Schreiber.

All these good folks from the north who are here, I want to thank them on behalf of people in northern Ontario for taking time from their jobs, from their families and from their communities to travel the great distance here to Toronto to present their views on land use in the province of Ontario.

People have to understand the size of this province, the fact that some of our people have come farther than the distance from Toronto to Florida to get here. We appreciate the time that the people of northwestern and northeastern Ontario have taken to come and present their views.

VISITOR

Mr Bud Wildman (Algoma): On a point of order, Speaker: I'd like all members of the assembly to join me in welcoming to the gallery the former Minister of Northern Development and Mines, the Honourable René Fontaine.

WAWA ECONOMY

Mr Bud Wildman (Algoma): Speaker, you will know that a decision was made in June of this year that has a devastating impact on the community of Wawa in my constituency. The decision was the permanent shutdown of the Algoma Ore division which has been the mainstay of the economy for that community. It has had a devastating effect.

The employees were offered jobs at Algoma Steel in Sault Ste Marie and many have moved to take advantage of that. The effect on the real estate market has been drastic. Also, local businesses have been hurt in terms of the retail market.

The one bright spot on the horizon for the economy of the area is River Gold mine, which has a camp about 70 miles from Wawa, with the workers living in the camp. If a direct road were built to connect the mine site with Wawa, it would be about 20 kilometres. If that were done, the camp could be closed and the miners relocated to

Wawa. This would serve to stabilize the economy of Wawa and stimulate the real estate market. It would mean that the community would have a life for the future.

I call upon the Minister of Northern Development and Mines to co-operate with River Gold to facilitate and finance the construction of this direct road route so we can stabilize the economy of Wawa and assure the community that it indeed has a future.

If this minister would act the way the former minister would have acted, we would be certain to get this road built in time to ensure that this community will have a stable future.

RAMADAN

Mr Bob Wood (London South): As many members of the House know, Canada's 500,000 Muslims will be observing a month of fasting during Ramadan, starting around December 19 this year.

I know I speak on behalf of all members of this House in extending greetings to the Muslim community of Ontario and in wishing them Ramadan Kareem and Eid Mubarak. These greetings, which in Arabic mean, "May you have a month of giving and a blessed feast," speak to the central meaning of Ramadan.

Ramadan is the month during which the Koran was revealed to the prophet Mohammed. Adult Muslims abstain from food, drink, marital relations and habits such as smoking during their fast, which starts at dawn and ends at sunset each day.

Our Muslim neighbours will be celebrating the feast of Eid Al-Fitr, the end of Ramadan, in approximately one month. After gathering for prayers, they'll meet with one another, giving presents and sharing alms with the needy so that all members of the community may be able to celebrate together.

Understanding why our Muslim friends will not be sharing coffee breaks or lunch with us during the last of December and the first two weeks of January is a first step towards appreciating their devotion to God and the practice of their faith.

In fulfilling the teachings of their faith, they demonstrate to us a commitment to righteousness and a compassion for the needy, qualities to which we can all aspire.

REPORTS BY COMMITTEES

STANDING COMMITTEE
ON SOCIAL DEVELOPMENT

Ms Annamarie Castrilli (Downsview): I beg leave to present a report from the standing committee on social development and move its adoption.

Clerk at the Table (Ms Lisa Freedman): Your committee begs to report the following bill as amended:

Bill 76, An Act to Establish the Ontario College of Social Workers and Social Service Workers / Projet de

loi 76, Loi créant l'Ordre des travailleurs sociaux et des techniciens en travail social de l'Ontario.

The Speaker (Hon Chris Stockwell): Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Dave Boushy (Sarnia): I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

Clerk at the Table (Ms Lisa Freedman): Your committee recommends that Bill Pr22, An Act respecting the City of Kingston, be not reported.

The Speaker (Hon Chris Stockwell): Shall the report be received and adopted? Agreed.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon Chris Stockwell): I beg leave to inform the House that today the Clerk received the 13th report of the standing committee on government agencies. Pursuant to standing order 105(g)(9), the report is deemed to be adopted by the House.

INTRODUCTION OF BILLS

RED LIGHT CAMERAS PILOT PROJECTS ACT, 1998 LOI DE 1998 SUR LES PROJETS PILOTES AYANT TRAIT AUX DISPOSITIFS PHOTOGRAPHIQUES RELIÉS AUX FEUX ROUGES

Mr Clement moved first reading of the following bill:

Bill 102, An Act to amend the Highway Traffic Act to permit pilot projects relating to red light cameras / Projet de loi 102, Loi modifiant le Code de la route pour permettre les projets pilotes ayant trait aux dispositifs photographiques reliés aux feux rouges.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Hon Tony Clement (Minister of Transportation): I will have a statement later on the program.

MEMBERS' OATH OF ALLEGIANCE ACT, 1998 LOI DE 1998 SUR LE SERMENT D'ALLÉGEANCE DES DÉPUTÉS

Mr Agostino moved first reading of the following bill:

Bill 103, An Act to provide for an Oath of Allegiance for the Members of the Legislative Assembly / Projet de

loi 103, Loi prévoyant un serment d'allégeance pour les députés à l'Assemblée législative.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Mr Dominic Agostino (Hamilton East): Briefly, this bill would bring the oath of allegiance for members of the Legislature in line with the bill I introduced with the federal government in regard to new Canadian citizens. It would keep the oath as is but would add the word "Canada" to the oath of allegiance for members of the Legislative Assembly.

1350

STATEMENTS BY THE MINISTRY AND RESPONSES

ROAD SAFETY

Hon Tony Clement (Minister of Transportation): On behalf of the government of Ontario, I'm pleased to introduce for first reading the Red Light Cameras Pilot Projects Act, 1998, a bill to combat red light running and improve road safety in Ontario.

This proposed legislation, if passed, will allow municipalities to test for up to two years the effectiveness of red light cameras in comparison to traditional on-road enforcement.

The Ontario government shares the public's concern about intersection safety. According to our record, collisions at municipal signalized intersections account for 21% of all collisions in Ontario and contribute to the \$9 billion in annual estimated costs for all collisions.

Across Ontario in 1996, there were 21,500 convictions for running red lights. That's 21,500 times too often that drivers put other road users and themselves at risk of injury or death. Clearly, driving through red lights is dangerous and unacceptable, as are all forms of aggressive driving.

This government remains firm in its belief that a visible police presence on our roads is the best means of apprehending drivers who run red lights. We continue to support the men and women who work so hard every day to ensure that our roads and communities stay safe.

But we have also listened to municipalities that have called for the use of red light cameras. The proposed legislation that I introduce today will provide municipalities with the opportunity to evaluate the effectiveness of a variety of approaches to combat red light running.

It is part of a flexible package of pilot programs the province is developing to assist municipalities in improving intersection safety. These pilot programs could include the use of red light cameras to photograph either the licence plate or the driver. Participating municipalities and police services must agree as part of this pilot program to include stepped-up enforcement blitzes at high-risk intersections that do not have the red light cameras.

I would like to take this opportunity to acknowledge and thank our road safety partners, including the Insurance

Bureau of Canada and the Ontario Safety League. The province continues to work with road safety partners such as those two organizations to develop initiatives to combat all forms of aggressive driving, including red light running.

In closing, the proposed legislation being introduced today will build on measures the province has already introduced this year, including increased fines for red and amber light running, the introduction of community safety zones and the community policing partnerships program. All of this together, these previously announced initiatives in conjunction with what we're announcing today, reinforces our commitment to crack down on aggressive driving and improve road safety.

At this time I'm calling on all members of the Legislature to help make Ontario's roads and communities safer by supporting the speedy passage of this proposed legislation.

Mr Mike Colle (Oakwood): I want to thank the minister for his gracious comments and his appreciation for everybody. He just showed a lot of class, as he usually does.

I want to thank the people who, despite this minister, fought this government and brought them to their senses. I want to thank Mr Roger Laporte of Ottawa who lost his son Michel, for bringing the fight for safety to this Legislature. I want to thank him and his family for all the work they did. I want to thank all the municipal leaders in cities like Mississauga, Ottawa, Hamilton and Toronto who fought this government and made them come to their senses.

As you know, this government originally said that red light running wasn't a serious problem. That's how they first came at it. Then they said, "Well, there's no technology that works." We lost a few more months. Then this government said these cameras cost too much money. Then the Premier stood up in this House and said, "We've got evidence in Australia that it doesn't work." Over and over again, for the last two and a half years, this government basically risked the people of Ontario because of some political stupidity they were engaging in.

They should've listened two and a half years ago. They could have saved a lot of lives and a lot of injuries. Instead this government kept stalling and making excuses. They put politics ahead of safety. Now this minister stands up, and the reason he's standing up is not because of me; I think it's because of the people in this province who said: "Red light cameras will save lives. We want our streets and our communities to be safe." Over and over again, they wrote letters, had petitions, came to this Legislature and told the government they were wrong.

The people of Ontario who were most active in fighting for intersection safety are the ones who forced this minister, in embarrassment, to stand up in this House today. He still won't admit he was wrong. He still won't appreciate the people of Ontario who brought him to this point today.

I want to commend those people who persevered, despite the fact they had nothing but opposition from this

government, nothing but opposition from the Ministry of Transportation. People like Roger Laporte persevered. The mayors, the police chiefs of this province and even some of the backbenchers of his own government said the minister was wrong. I want to thank them personally for doing their part to fight on behalf of the people of Ontario who knew that this technology is not the be all and end all, but is a technology that has worked for 25 years in countries all over the world, in cities all over the United States. It's even been passed in Alberta, in BC and in Manitoba. It's technology that helps to stop people from running red lights. The technology helps the police, who need this type of technological aid.

I hope this minister doesn't impede the technology by putting more technical obstacles in front of it. Just put in the red light cameras. They will work in Toronto, Mississauga and Ottawa as they've worked in Melbourne, Australia, or New York City. Get them up and running.

On behalf of our party, we will ask for unanimous consent that the red light camera legislation be passed today. We can't wait another two and a half years. We want it passed today. We're basically saying that it's a good piece of legislation, that it's a piece of legislation that I think the people of Ontario for years to come will look back on and say: "Thank God they did that. Thank God my neighbour wasn't hit by a red light runner."

It is long overdue. It is something governments should have done, but they are doing it. I want to again say thanks to everybody across the province who brought the government to their senses. It's about darn time. Let's get them up. As far as I'm concerned, they could start putting them up today and that would probably save some lives and some accidents today.

1400

Mr Tony Silipo (Dovercourt): Unlike the presentation we saw from the minister, I want to begin my comments by acknowledging the work that the member for Oakwood has done on this issue, in bringing forward his private member's bill which quite frankly I would have preferred to see pass as opposed to this legislation. But we will take this legislation because it does move the issue forward.

I'm also tempted to say both to the government members and, in this case, to the Liberal colleagues to my right the words "photo-radar," because I remember the outcry at the time we introduced that legislation and that initiative in the province from both the Tories and the Liberals, about how wrong that initiative was. Here we are a few years later doing what we need to do, to move on an important safety issue to put red light cameras at intersections, which will do the same kind of thing that we intended and wanted to do with the photo-radar scheme on our highways.

Let me say to the government and to the minister particularly that, first of all, this is absolutely the worst way to deal with legislation on an important issue such as this. Here we are, 24 hours away from the House adjourning, in fact proroguing from what we understand, and we have a bill introduced that we have been calling for: those of us

in the Liberal opposition and the NDP opposition, more importantly many people who have been victims or have had family members become victims of red light runners, people at all levels of government, particularly mayors of municipalities in the GTA. They have been calling for months for this kind of legislation.

For months we have had the government stand up and say, through the minister and through other representatives; "No, no, we can't do it. We can't do it for this reason. We can't do it for that reason. We can't do it because we don't yet have the perfect set of answers to this." We have said all along: "Don't worry about working out all the bugs. Provide legislation that allows for the models that exist to be put in place." What do we see at the end of the day? The minister, although at this late stage, at least finally comes forward with a permissive piece of legislation that will allow municipalities to go forward and put in place red light cameras that, as the minister has indicated, will ensure the photographing of either the licence plate or the driver, as the municipalities wish to do.

We will support this legislation. We want to see it go through before the session is over. We don't believe we should rush through this today without actually having a chance to read the legislation, given that it has only been presented to us, but we understand that as a result of the discussions we have had today at the House leaders' meeting, we're prepared to accommodate this bill going through second and third reading tomorrow afternoon and tomorrow evening, which I think is a lot more than even the minister has reason to expect at this late stage. But it's something we are doing because we believe that saving lives is more important than any kind of partisanship division we could conjure up in this House.

Having said that, let me also put on the record a couple of concerns we still have. I appreciate the briefing that was provided to us by the ministry and the minister's office yesterday, but I want to make sure that a couple of these concerns we have as they relate to the issue of funding are being addressed. I understand the bill will require some undetermined level of enhanced enforcement by the municipality. The minister talked about this in his statement. If this makes implementation of red light cameras financially difficult for the municipalities, then they may decide not to do it, and that indeed would be bad for road safety, so we will want assurances from the minister, as the debate goes on and before the bill is finally approved, that this concern can be addressed.

Secondly, I want to say to the minister particularly that I am concerned that the province has not yet turned over Provincial Offences Act revenues to the municipalities. Those revenues, we all understand and agree, belong to them under the terms of the Who Does What downloading exercise. We believe the province has been unreasonably slow in resolving the issues around transfer of those revenues. We've had some vague assurances from the bureaucrats that those revenues will be made available to pay for this initiative, but we would like to see that spelled

out more precisely, so I look forward to the minister again clarifying that issue.

There are funding concerns we want to see addressed, but all in all, we do want to see this piece of legislation go through the House to provide that enabling mechanism for municipalities to put up those red light cameras where they wish to do so and to ensure that we can stop the killing and injuring of people at intersections.

Mrs Marion Boyd (London Centre): Mr Speaker, on a point of order: I rise today to seek unanimous consent for the following motion to be placed before the House for adoption:

"Whereas all three political parties represented in this House have acknowledged that the settlement in the McLean-Thompson affair has been badly mismanaged; and

"Whereas all legislators are collectively responsible to the people of Ontario for matters relating to the Legislative Assembly; and

"Whereas the final settlement of this private dispute is being paid by the taxpayers of Ontario; and

"Whereas the taxpayers have a right to know how their tax dollars are being spent;

"Therefore, be it resolved that the Legislative Assembly of Ontario requests the lawyers in the McLean-Thompson dispute to provide a full report to this Legislative Assembly with respect to all of the legal fees paid under this settlement, including an itemization of all disbursements."

The Speaker (Hon Chris Stockwell): Agreed? I heard a no.

VISITOR

Mr Gilles Bisson (Cochrane South): On a point of order, Speaker: I wonder if you can assist me with the standing orders. I'm looking for what part of the standing orders would allow me to say that Freddie Poulin, mayor of Smooth Rock Falls, is here and I'd like to have him recognized by this Legislature. Can you assist me, please.

The Speaker (Hon Chris Stockwell): Let me help you. You'd be searching for quite a long time for it because it doesn't exist.

PRESENTATION OF PETITIONS

The Speaker (Hon Chris Stockwell): Yesterday, the member for Grey-Owen Sound rose on a point of order concerning a petition he had presented, which was returned to him by the table on the basis that it was found to be out of order.

The member requested that the Speaker review the petition he had presented since, in his view, it should have been found in order.

I have now reviewed the petition and wish to report to the member and to the House on this matter.

Standing order 38 sets out five criteria that a petition must meet to be found in order. The petition presented by

the member for Grey-Owen Sound fails to meet at least two of these criteria.

First, standing order 38(c)(iv) requires each petition to "have its request appear at the top of every sheet, if it consists of more than one sheet of signatures."

The petition in question consists of two sheets, but one sheet contains the text of the petition, without any signatures, and the other contains only signatures, without any request to Parliament, contrary to the standing orders.

Secondly, standing order 38(c)(ii) requires a petition to "contain a clear, proper and respectful request that the House take some action within its authority."

The petition in question does not make any request of the assembly. Rather, on the one sheet that contains the purported text of the petition, only a statement of certain principles is enumerated, to which the purported signatories to the petition, found on the second page, purportedly adhere. However, the assembly is not asked to take any action within its authority.

The key principle that this petition offends is that all petitioners should know precisely what it is they are petitioning Parliament for. With the request to Parliament on a separate page from the signatures, there is no way to know that the signatories saw and understood the nature of the petition. When the text of the petition is at the top of each page of signatures, it is a certainty that each person signing the petition will have seen and agreed with it.

The petition also contains certain alterations. Again, this gives rise to the principle that petitioners must know what they are signing; when a petition contains alterations, it cannot be known if the petitioners signed it before or after the alterations were made, and whether those alterations might have affected their decision to support and sign the petition.

I find, then, that the petition is out of order.

I would point out that it is the responsibility of each member presenting a petition to ensure that it complies with the standing orders. I encourage members who have a question about the orderliness of a petition to solicit the advice of the table so that the situation faced by the member for Grey-Owen Sound could be avoided. And in the future I'll write my own decisions.

Mr Bill Murdoch (Grey-Owen Sound): On a point of order, Speaker: I'll withdraw.

The Speaker: Timing is everything, I'll tell you.

DEFERRED VOTES

APPRENTICESHIP AND CERTIFICATION ACT, 1998

LOI DE 1998

SUR L'APPRENTISSAGE ET LA RECONNAISSANCE PROFESSIONNELLE

Deferred vote on the motion for third reading of Bill 55, An Act to revise the Trades Qualification and Apprenticeship Act / Projet de loi 55, Loi révisant la Loi

sur la qualification professionnelle et l'apprentissage des gens de métier.

The Speaker (Hon Chris Stockwell): Call in the members. This will be a five-minute bell.

The division bells rang from 1410 to 1415.

The Speaker: All those in favour please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Hardeman, Ernie	Rollins, E.J. Douglas
Baird, John R.	Hamick, Charles	Ross, Lillian
Barrett, Toby	Hudak, Tim	Runciman, Robert W.
Bassett, Isabel	Jackson, Cameron	Shea, Derwyn
Beaubien, Marcel	Johns, Helen	Skarica, Toni
Boushy, Dave	Johnson, David	Smith, Bruce
Carroll, Jack	Jordan, W. Leo	Snobelen, John
Clement, Tony	Klees, Frank	Spina, Joseph
Cunningham, Dianne	Leach, Al	Sterling, Norman W.
Danford, Harry	Leadston, Gary L.	Stewart, R. Gary
Doyle, Ed	Marland, Margaret	Tilson, David
Ecker, Janet	Martiniuk, Gerry	Tsubouchi, David H.
Elliott, Brenda	Munro, Julia	Tumbull, David
Fisher, Barbara	Murdoch, Bill	Vankoughnet, Bill
Flaherty, Jim	Mushinski, Marilyn	Villeneuve, Noble
Ford, Douglas B.	Newman, Dan	Wettlaufer, Wayne
Fox, Gary	O'Toole, John	Wilson, Jim
Froese, Tom	Ouellette, Jerry J.	Witmer, Elizabeth
Galt, Doug	Palladini, Al	Wood, Bob
Gilchrist, Steve	Parker, John L.	Young, Terence H.
Grimmett, Bill	Preston, Peter	

The Speaker: All those opposed please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Duncan, Dwight	McLeod, Lyn
Bisson, Gilles	Gerretsen, John	McClash, Frank
Boyd, Marion	Grandmaître, Bernard	Patten, Richard
Bradley, James J.	Gravelle, Michael	Phillips, Gerry
Brown, Michael A.	Hampton, Howard	Pouliot, Gilles
Caplan, David	Kennedy, Gerard	Pupatello, Sandra
Churley, Marilyn	Kormos, Peter	Ramsay, David
Cleary, John C.	Kwinter, Monte	Ruprecht, Tony
Colle, Mike	Lalonde, Jean-Marc	Sergio, Mano
Conway, Sean G.	Lessard, Wayne	Silipo, Tony
Crozier, Bruce	Marchese, Rosario	Wildman, Bud
Cullen, Alex	Martin, Tony	Wood, Len
Curling, Alvin	McGuinty, Dalton	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 62; the nays are 38.

The Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

ORAL QUESTIONS

HEALTH CARE FUNDING

Mr Gerard Kennedy (York South): I have a question for the Minister of Health. I want to raise with you again the question of the Bouffard family, Lisa and Christian and their triplets, who were born under circumstances that can only be described as every new

parent's worst nightmare. In an Ontario that's supposed to provide for them, the care they received was not acceptable. They were put in an ambulance for four hours to have the triplets delivered outside of Toronto. In the centre of health care in this province there wasn't a bed available. I've spoken with Mr Bouffard this morning and he's concerned that you seem to take issue with the facts of this matter. You seem to be saying in your published remarks in the media that somehow there were beds available, that there were options.

Minister, I want to ask you a very simple question: How could this happen in Ontario, that they couldn't give birth in Toronto —

The Speaker (Hon Chris Stockwell): Question.

Mr Kennedy: — and do you today take responsibility for what happened to the Bouffard family?

Hon Elizabeth Witmer (Minister of Health): As the member knows, each year in the province of Ontario there are about 150,000 births. Without a doubt, the circumstances involved in this particular case are unique. It involved the delivery of premature, high-risk triplets. Certainly there were facilities available in Toronto at that time for delivery. However, if we take a look at the fact that we're dealing with premature, high-risk triplets, unfortunately the closest facility capable of handling that type of birth that involved high-risk, premature triplets was in Kingston. However, as soon as the staff at the Ministry of Health became aware of the situation yesterday, they immediately made contact with Women's College Hospital —

The Speaker: Supplementary.

Mr Kennedy: I want to share with the House and with the minister some of the concerns Mr Bouffard had, because he and his wife spent a week in Women's College waiting to find the beds that could deliver these triplets. He said to me, "The minister should not say that this is a unique or unusual circumstance, because twins are born every 15 minutes in this province and another baby could be born right after, therefore requiring the same number of beds."

This happens all the time. They spent time there. They saw in Toronto the three hospitals — Mount Sinai, Women's College, Sick Kids — go on and off availability. Minister, you cut those three hospitals with the capacity to deliver these kinds of births by \$44 million over the last two years. What this father wants to know and what families all across the province want to know is, will you accept responsibility for the fact that they didn't receive the health care they needed and it jeopardized the lives of those triplets?

Hon Mrs Witmer: Again, I think we need to keep in mind that we're dealing with a case of extremely premature, high-risk triplets. Certainly yesterday, when the Ministry of Health became aware of the situation, there was immediate communication with Women's College and with the Hospital for Sick Children and with Mount Sinai to ensure that in future, when this type of situation arises, there will be facilities and services available to deal with these high-risk, premature multiple births. That

is exactly what is going to happen in order that they can be provided for.

You also need to keep in mind that we are following through on the recommendations of the Health Services Restructuring Commission. As you know, there are going to be expanded neonatal facilities available —

The Speaker: Answer.

Hon Mrs Witmer: — at Women's College-Sunnybrook and also in Hamilton.

It might interest you to know as well that the Premier today has personally been in contact with the family —

The Speaker: Final supplementary.

Mr Kennedy: I'm aware that the Premier called, but I know what the family expressed to me that they want. They don't want to be told that this is an isolated case by the Premier or anyone else; they don't want public relations. They want you to recognize a simple thing: Your government made things worse for three very important people — Samantha, Nicole and Zachary — the three triplets who almost didn't get born.

Minister, 60% of the time the neonatal beds they needed in Toronto are unavailable. That is more than twice the amount of difficulty in reaching them that there was two years ago. You've cut funding to these special hospitals by more than 12%; at the same time there's been a growth in high-risk births of over 13%. This is a system failure. It's a broken-down system that you're running, and the parents and the other people who are affected here, other people who could be waiting right now for those beds, want to know — you say you're going to fix it. Tell us today exactly what you're going to do so this doesn't happen again.

Hon Mrs Witmer: I think I have made it quite clear that the Ministry of Health staff, upon learning about this situation yesterday, did take immediate action in order that the facilities and the services could be provided within the community of Toronto. They have been in contact with Women's College, Mount Sinai and the Hospital for Sick Children to ensure that in all future situations when it comes to high-risk, premature, multiple births, those services will be provided here.

As well, as part of the restructuring that's taking place, there are going to be expanded facilities at Women's College-Sunnybrook and also in Hamilton because, as you know, there is a need to expand the facilities and that's part of the restructuring process.

BOARD OF INTERNAL ECONOMY DECISION

Mr Sean G. Conway (Renfrew North): In the absence of the Minister of Finance, my question is to the Acting Premier, the Minister of Education. It will be obvious to you and to many that many members of this Legislature and certainly many people across Ontario, many Ontario taxpayers, want an opportunity to have a say on the so-called McLean matter.

As it happens, this Legislature has a very timely opportunity to pass judgment on the McLean matter. Standing in

the name of the Minister of Finance we have Bill 96, a spending bill, a bill that contains within it the approved money for, among other things, Al McLean's alleged \$130,000 worth of legal bills.

My question on behalf of the Ontario taxpaying public to you is simply this: Are you prepared on behalf of the Harris government to amend the government's spending bill, Bill 96, currently before this assembly by an amount of approximately \$130,000, so that at a minimum the Ontario taxpayers will not be paying for any part of Al McLean's legal bills in a private matter between Mr McLean and Ms Thompson?

Hon David Johnson (Minister of Education and Training): I would say that this is a matter that has been dealt with by the Board of Internal Economy. That's where the authority lies for this particular matter.

The Board of Internal Economy, as members of this House know, is composed of a representative from the Liberal Party, a representative from the NDP and representatives from the government itself. This body has the authority in this case to resolve this matter. It's seized of this matter, to resolve this matter. I am not a member of that body. I know the member for Renfrew North is not a member of the Board of Internal Economy.

In its wisdom, the Board of Internal Economy has looked at this matter and has made a decision that it feels is in the best interests of the taxpayers.

Mr Conway: I am not a member of the Board of Internal Economy, but I am a member of this Legislature. Before me this day I have a bill standing in the name of the Minister of Finance. This Bill 96 is the spending bill for the fiscal year 1998-99. It asks me to pass judgment on, among other things, an appropriation of \$103 million, a vote in the name of the Office of the Assembly. Contained in that vote is \$130,000 worth of money that's been allocated by the Board of Internal Economy but must be approved in the name of this supply bill by the whole House. That's my duty; that's the duty of every member here.

Will you, as the Acting Premier, amend Bill 96, which is before us today, in the amount of \$130,000 so that the people of Ontario will not pay any part of Mr McLean's legal bills and so that every member of this assembly will be able to stand in their place and vote yes or no on that amendment?

Hon David Johnson: The way it works is that each party is represented on the Board of Internal Economy. The Board of Internal Economy —

Interjections.

The Speaker (Hon Chris Stockwell): Acting Premier.

Hon David Johnson: That's the way it has been down through the years, because in the wisdom of parliaments over many years, it has been deemed that this particular legislative entity, including the auditor, the Clerk's department, the Ombudsman, the Environmental Commissioner and many other commissioners, should report to an independent body of this particular Legislature.

The Board of Internal Economy is represented by all three parties. The Board of Internal Economy has

jurisdiction over this matter. If the member for Renfrew North has a particular question about procedure, then he should consult with his own member who represents his party on that particular board.

1430

Mr Conway: Earlier this week, Premier Mike Harris made a big announcement about his determination to have more financial discipline and more accountability by elected officials for taxpayers' money — a great speech. Well, let me say to this House and to this government particularly, we have a perfect opportunity to give effect to Mr Harris's much-trumpeted commitment.

Today we have before us a supply bill. It is the spending approval that this Parliament must vote for all of the expenditures in the fiscal year 1998-99. Contained in this bill is, among other things, the \$130,000 that has been allocated to pay Al McLean's legal bills.

My question is simply this: Will the Acting Premier amend this bill in such a way as to reduce the appropriation by, as a minimum, \$130,000, and let every member of this Parliament, whether it's Frank Sheehan, Sean Conway, Toni Skarica or Mike Harris, stand in their place here, as is our duty, and vote yes or no to that appropriation?

Hon David Johnson: The member for Renfrew North said the Premier made a great speech. I would say that the Premier has a great commitment to balancing the books of the province of Ontario and to bringing expenditures under control.

Interjections.

The Speaker: Acting Premier.

Hon David Johnson: When this government came to office, we were faced with the years of \$10-billion spending increases by the Liberals and \$11-billion deficits from the NDP government. Yes, we have made a great commitment and the Premier has made a great commitment to bring the spending under control in the province of Ontario.

As all members of this House know, this matter is under the jurisdiction of the Board of Internal Economy. The Board of Internal Economy has looked at this matter over a period of time and apparently — I'm not a member of the Board of Internal Economy — has made a judgment in terms of how to stop the escalating costs and to give the taxpayer the best break in this particular matter. They've made a decision to resolve this matter, to settle it and to stop the escalating costs.

The Speaker: New question; leader of the third party.

Mr Howard Hampton (Rainy River): My question is also for the Acting Premier. Everybody in this province wants to get to the bottom of Mr McLean's scandal. Yesterday the Premier said on radio that he believes the whole thing has been mismanaged, and yesterday your colleague the Deputy Premier said he didn't think it would be appropriate for taxpayers to pay for a private eye and he didn't have all the answers.

There is a way for us to get all the answers. Would you support a motion in this Legislature asking the Legislative Assembly committee to conduct a full public investigation

of how this scandal was handled from beginning to end and how taxpayers are being stuck with Mr McLean's so-called legal expenses, which include paying for a private eye to snoop on Sandi Thompson?

Hon David Johnson: My understanding from the House leader is that Mr McLean has indicated or offered to pay for the investigative costs.

I will say that I think the Premier and the Minister of Finance are expressing the natural frustration that one has with these kinds of legal matters.

I'm sure anybody who has been in government for many years has faced legal situations, whether it's a personnel situation, whether it has to do with the completion of a tender or whatever it has to do with. The lawyers on both sides get involved and the costs to the taxpayer go up. At some point in time the authorities, in this case the Board of Internal Economy, have to step in and say: "What's the most prudent way of dealing with this? Is the most prudent way to allow this to go on and the costs to escalate, month after month and year after year, or is the prudent course of action to settle and resolve it?" Apparently the Board of Internal Economy came to the latter conclusion.

Mr Hampton: The question was, would the Acting Premier support having an investigation done by the Legislative Assembly committee so the people of Ontario would know once and for all what you're asking them to pay and what your members of the Board of Internal Economy are asking them to pay for in the way of Mr McLean's sexual harassment scandal? That's not too much to ask, but you won't even respond to the question.

Let me put it to you in another way: Would you and the government members support a motion here in the Legislature asking Mr McLean to reimburse the taxpayers of Ontario for the full \$130,000 of his so-called legal expenses that the public has no business paying in the first place? Would you support that motion?

Hon David Johnson: Again, this is a matter that rests with the Board of Internal Economy. The third party is represented on the Board of Internal Economy. If the third party believes it has another course of action in terms of dealing with this particular issue, or any other issue before the Board of Internal Economy, I would suggest the leader of the third party consult with his representative on the Board of Internal Economy.

Mr Bud Wildman (Algoma): We just did.

Hon David Johnson: Good. That's the proper way to go. In the absence of that, the Board of Internal Economy is obviously dealing with a problem that it has had before it for some time, doing the best it can, and has come to a resolution on the matter that apparently is acceptable to the parties.

The Speaker: Final supplementary.

Mrs Marion Boyd (London Centre): As the member on the Board of Internal Economy from this party, I voted against the offer of settlement; I voted against the settlement itself. I asked for the bills to be taxed, for the details to be provided, and that didn't happen. Why didn't it happen? Because the government has four members on

that committee, the opposition has one and we have one. The government members outvoted us every time, just as this afternoon you refused my motion to have the legal bills tabled here so people could see what we were paying for. You refused the idea of a motion that the Legislative Assembly would look at it. You refused an idea that there would be a motion that Mr McLean would pay for this.

1440

What are you covering up? What are you trying to hide? Why have the members of your party outvoted the opposition and the third party against any kind of openness of this affair? What is going on and what have you got to hide?

Hon David Johnson: I would say to the member for London Centre that this has been the makeup of the Board of Internal Economy apparently, as I understand it. I've only been on the Board of Internal Economy for a short period, back some time ago, but as I understand it, that's been the makeup of the Board of Internal Economy back through the years, back through the ages. Apparently the board has been able to deal with various matters that are before it.

This is a matter that is legitimately before that board; nowhere else. You are apparently a member of that particular board. If you have other ongoing concerns, then I would suggest you're well positioned to raise those issues at the very next meeting of the Board of Internal Economy. Discuss the matter. Have it on the agenda. That's your prerogative as a member of the Board of Internal Economy.

The board apparently is seized of this issue and has attempted to deal with it in the best possible way, given that the taxpayer apparently is on the hook for ever-escalating costs, and has tried to deal with it most prudently.

SOCIAL ASSISTANCE

Mr Howard Hampton (Rainy River): I have a question for the minister responsible for community and social services. This is about the hardship that a particular family is facing this Christmas thanks to your corporate friend Andersen Consulting.

You will know that Andersen Consulting is putting in place the so-called consolidation verification project with respect to social assistance recipients.

This family faced the following scenario: She was called into the social assistance office. They asked her for her children's school attendance records, even though it was August and the children weren't at school. She was asked for both her birth certificate and her social insurance card even though they're already in the social assistance files. Then she was asked for her bank statements for the last 12 months. She doesn't have those bank statements for the last 12 months and she doesn't have the \$30 to get them.

What happened as a result? Because she couldn't provide some of this information, even though you already

have it, you cut her and her three children off social assistance.

Andersen Consulting is going to benefit from this. Minister, how do you justify attacking poor families in Ontario in order to benefit Andersen Consulting?

Hon Janet Ecker (Minister of Community and Social Services): No, Andersen Consulting will not benefit if someone has been taken off welfare inappropriately, and I'd be very pleased to look into the circumstances.

The Speaker (Hon Chris Stockwell): Supplementary, member for Ottawa West.

Mr Alex Cullen (Ottawa West): Minister, the reality is that your policies are breaking up families. In Ottawa West I have a case where a 50-year-old woman with a 10-year-old daughter with special needs, a single parent on assistance, moved in with her 80-year-old mother because her doctor said she needs care. Yet your government wished her a merry Christmas by cutting her benefits in half effective this December, to \$446 a month, despite the fact that her rent is \$500 a month and her child needs medication. This single mum cannot live on \$446 a month, let alone enjoy Christmas with her family.

Minister, you're breaking up this family and costing taxpayers more. Why are you doing this?

Hon Mrs Ecker: We have very clear policies about what are considered eligible expenses and what aren't. We believe very firmly that people who are in need should be on the system, not people who have other resources and alternatives to draw from.

If there has been anything inappropriate that has happened in any particular case — and, as the honourable member knows, I'm not at liberty to discuss the details of a particular individual's case in public, as they seem to feel free to spread people's detailed information around — I'd be very pleased to have officials look into it and make sure that everything was done according to policy and according to regulation.

Mr Cullen: Minister, it's your new rules that are forcing families like these to break up, at greater cost to the taxpayer.

I have another case in Ottawa West where a constituent on assistance has an open custody arrangement with his ex-wife regarding his three children, ages 11, nine and eight. He lives in a two-bedroom basement apartment where he pays \$600 a month in rent. Your new rules, effective this month of December, cut his social assistance entitlement to \$551 a month, as you will no longer recognize his parental obligations to his three children. He will no longer be able to house his children or pay for their needs when they are in his care or even provide for their Christmas.

Again, Minister, why is your government so intent on breaking up families?

Hon Mrs Ecker: Frankly, paying people double in circumstances where they separate is not an appropriate policy either. As the member well knows, we follow the federal guidelines for determining which parent has primary custody of that child and that is how the decision is made about which parent receives the child portion of

the welfare allowance. That has been very clear. If he has concerns with the federal guidelines about how they do that, for example, for the national child benefit, I request him to take it up with the appropriate level of government.

As I said, I'm not going to sit here and debate the intimate details of a person's life on the legislative floor. If there has been anything inappropriate that has happened to an individual, I'd be very pleased to look into it. Our goal here in terms of our welfare reform is making sure that we're getting people off social assistance and into paid jobs. The numbers indicate that is exactly what is happening. That's where the families who are currently trapped on welfare want to be, off welfare, in paid jobs, and that is the goal of our reforms.

BOARD OF INTERNAL ECONOMY DECISION

Mr Sean G. Conway (Renfrew North): I want to come back to the Acting Premier. My concern today is not so much what the Board of Internal Economy did, but what we as a Parliament will do, because it is our duty under our system of government to vote the funds to give effect to what the board did. The government has before the Legislature today a spending bill, Bill 96. In that spending bill is contained the amount of money that has been allocated to pay Al McLean's legal bills. We have to, in the name of the taxpayers of Ontario, vote yes or no to the supply bill, to that spending bill.

I ask the Acting Premier: You have it within your power as a government to amend the spending bill, Bill 96, currently before us for debate and decision, to reduce the appropriation by the amount of approximately \$130,000, representing Mr McLean's legal bills. Are you prepared to put that amendment and give all members a chance to vote yes or no on that question?

Hon David Johnson (Minister of Education and Training): The member for Renfrew North has been here for many years, 23 years.

Interjection: Too long.

Hon David Johnson: I don't know if it's too long or not, but he makes a wonderful contribution to the House on many occasions.

He will be aware that there is an estimates process which involves the expenditures of the Legislative Assembly and the various ministries. That time will come; it comes every year. The estimates process has assigned various monies to the Legislative Assembly, and the Legislative Assembly, represented by all three parties, makes various decisions with regard to its spending. In this particular case, in a matter clearly before the Board of Internal Economy, it has apparently made a decision in terms of what it feels are the best interests of the taxpayers in minimizing costs that could be attributed back to the taxpayers. So there is a process in place to deal with that very matter.

Mr Conway: I've been here long enough to know what my responsibility and my accountability is. I know that in Bill 96 I have a responsibility to vote for all of the

estimates that have been approved by various committees of the Legislature. Parliament must vote, in total, the supply bill. We have got to pass judgment, and in this bill that the Minister of Finance has before us now for debate and decision is, among other things, an allocation of money to pay for Al McLean's legal bill.

Let me say to you, Minister, and to all of you: If the government isn't prepared to move the amendment, I will. I will be here tonight, because according to the House leaders' agreement we will resume this debate at 7:30 tonight. I want to tell you now that I, the member from Renfrew, will put tonight a motion which reads in part, "That Bill 96 be amended in such a way that the amounts payable under subsection (1) of the bill shall not include any amount in respect of the legal fees of the member for Simcoe East."

1450

The table tells me it's proper and in order. I challenge every one of you — Tory, Liberal and New Democrat — all of you who believe in accountability and responsibility, to be here tonight. Vote yes or no and let the taxpayers decide.

Hon David Johnson: That is the democratic process. If the member for Renfrew North feels he wishes to put that amendment, or any other amendments that are in order, that's his democratic right. I think he has stated the case quite clearly. He intends to come and speak to the issue. Other members of the House will —

Interjections.

The Speaker (Hon Chris Stockwell): Order. Acting Premier.

Hon David Johnson: Mr Speaker, as you well know, there are procedures that govern this House. If members are in order to make amendments, then they are welcome to make amendments. All members, of course, are welcome to speak to the item, whether it's the Supply Act, whether it's some piece of legislation that's before the House. The House votes according to its conscience. That's the democratic process. If that is what the member is proposing, so be it.

The Speaker: New question, leader of the third party.

Mr Howard Hampton (Rainy River): To the Acting Premier again: Here's the reality today. We asked you for a motion for a full report from the lawyers in the McLean scandal so that members of the Legislature would know what's happening. You refused that.

We asked for a motion for the Legislative Assembly committee to do an investigation and provide a report. You refused that.

We asked for a motion for Mr McLean to reimburse the Legislature so that taxpayers don't have to pay his so-called legal expenses. You refused that.

What is it that you're so worried about? What is it that you want to keep away from the public? What is it that you're so afraid of, that you don't want to have any accountability on? We've given you all kinds of ways for the public not to pick up Mr McLean's so-called legal expenses, which they have no reason to pay, no reason in

law, no reason any other way to pay. What are you so afraid of?

Hon David Johnson: A little correction is in order, to the member for Rainy River. I have refused nothing. This government has refused nothing. The matter is before the Board of Internal Economy. If the member for Rainy River wishes to further deal with this particular matter, he should, through his representative, have the matter dealt with where it's properly seized, at the Board of Internal Economy. That's where the decision is being made. That's where the process is properly dealt with.

Mr Hampton: Acting Premier, that's the reality: Whenever anyone tries to shed any light on this in the Board of Internal Economy, your members say no. When people ask for an accounting of Allan McLean's so-called legal expenses, your members say no. We then come to the Legislature, because you can, here in this Legislature, overrule the committee. We ask you for a full report from the lawyers. You say no. We ask you for a motion for an investigation by the Legislative Assembly committee. You say no. We ask that Al McLean pay it. You say no.

I'll ask you for another motion. Would you agree to a motion that the Conservative Party of Ontario pick up Mr McLean's legal expenses? That way, if you're desperate to keep it quiet and hush it up, you and Mr McLean can take care of it and the people of Ontario don't have to pay for this scandal.

Hon David Johnson: I would agree that this is a matter that is dealt with at the Board of Internal Economy and the member should make his views known to the Board of Internal Economy. I would also agree that this is a matter that a number of people have expressed exasperation and frustration with regard to, and this is not untypical. I think the Premier has expressed his deep concern about the matter, and the Minister of Finance has expressed his deep concern.

These matters involving legal issues are always difficult. I know the federal government, for example, has set aside hundreds of thousands of dollars to deal with a wrongful dismissal suit. It is, unfortunately, the kind of situation that governments have to deal with and I'm sure the private sector has to deal with. The Board of Internal Economy, I believe, from all accounts, although I wasn't there, has done the best it can to deal with an issue and to bring finality to a matter that affects the lives of particularly two people.

ASSISTANCE TO FARMERS

Mr Bill Murdoch (Grey-Owen Sound): My question is to the Minister of Agriculture. I'd like to thank the minister first before I ask him the question. The last time I asked him a question in this House, he looked after the problem we had in Grey county in our planning, and I want to thank the minister for that.

Minister, last week you announced a program for our farmers of some \$40 million. After that, the federal government came along and offered some more money for our farmers who are having a problem with drought-

related issues or commodity issues. In the paper recently, Ken Kelly, one of the vice-presidents of the OFA, said there was concern as to how this is going to work out there. Could you tell us how the two programs could work together?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): To my colleague from Grey-Owen Sound, yes, the Ontario government listened and heard of the extreme-distress income situation that's being faced by Ontario farmers. We reacted very quickly, and \$40 million was announced last week, December 10, through the Ontario whole farm relief program.

Indeed, following the leadership of Ontario, the federal government did follow with some \$900 million in support over two years for Canada's farmers. I am pleased to learn of the federal financial commitment. I'm anxious to hear more about the details. It is critical that this proposed national program provide Ontario and Ontario's farm families with their fair share of that federal money.

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I have a couple of quotes here that I'm sure the Legislature would be interested in hearing. "We're really pleased with the leadership shown by OMAFRA Minister Villeneuve in setting a national agenda." Ed Segsworth of the OFA said that.

The Speaker (Hon Chris Stockwell): Answer.

Hon Mr Villeneuve: "We're pleased it happened quickly. It's remarkable that the provincial ministry worked so quickly." Bob —

The Speaker: Supplementary.

Mr Murdoch: Minister, I appreciate that information you've given us. As I said, there's still some uncertainty out among the farming community, especially in my riding of Grey and the riding of Bruce. We've had a serious drought problem in the past and I understand there are going to be some applications made up through your ministry to go out to all our farmers. Could you commit today in this House that you will work with the Christian Farmers and the Ontario federation before you send out these applications, that your ministry will work with them, especially in Grey and Bruce?

I have a letter from my federation here that I'll send to you — if one of the pages would take this to the minister, please — that asks that you will at least confide in them and ask them some questions before you finalize the applications, before they go out to the farmers. We want to get it right the first time; we don't want to have a lot of uncertainty.

Hon Mr Villeneuve: The whole farm relief program is for all farmers who have had a dramatic reduction in their net farm income over the past year, 1998, and it will be based on an average of previous years. This will apply to the cattle farmers in Grey, Bruce and Huron who were hit by drought. It will apply to the apple producers who were hit by hail in Northumberland. For my friend from Renfrew North, it will apply to certain farmers in his area who were hard-hit by drought.

We're getting this program up as rapidly as possible to meet the immediate needs of farmers. We appreciate the input of farm groups, and yes, as we speak, we are working with the Christian Farmers, the Ontario Federation of Agriculture and other farm organizations to make sure that the application forms are precise and not any longer than they have to be and provide the information that will be needed to meet the criteria as negotiated with the federal government, and we are negotiating at this time.

VISITOR

The Speaker (Hon Chris Stockwell): Stop the clock. I'd like to take this opportunity to bring to the attention of the members of the government gallery the member of Parliament for Markham, Mr Jim Jones. Welcome.

BOARD OF INTERNAL ECONOMY DECISION

Mr Sean G. Conway (Renfrew North): I have a question to the Acting Premier. I want to say to the Acting Premier that I appreciated his last response, where I believe I heard him say that he was anxious and willing to give members, all members, an opportunity at an early time to debate the supply bill and any amendments attached thereto and certainly to vote on the amendments and on the supply bill.

I just want to be clear, and I want to ask the Acting Premier a question in this regard. The House leaders met an hour or so ago and allocated three hours of debating time tonight, beginning at 7:30. I adjourned the debate last night and I certainly intend to begin the debate this evening. I would just like from the Acting Premier an assurance from the government, since the government controls the House business, that you are going to give the House today and tomorrow, or at some point before we adjourn or prorogue before Christmas, an opportunity to debate the supply bill and any amendments attached thereto and to decide the question of the spending bill and any and all amendments attached thereto.

Hon David Johnson (Minister of Education and Training): That is a matter that is dealt with by the House leaders. The House leaders deal with that particular matter and reach agreement in terms of what will be before the House, and then it's up to the government House leader to call the motion. Then, beyond that, we have well-established rules in terms of the ability to place amendments, which ones are in order and which ones are not in order. We know that within the confines of the time available people are welcome to speak, and obviously the members of the House vote their conscience on whichever amendment or whatever they feel is best.

That matter is controlled by the House leaders, the government House leader, and I'm sure the House leaders are most capable of bringing forward the best resolution on this matter.

Mr Conway: I want to be very clear to all members that this, in my view, is a very important question for all of us, regardless of where you stand on the question. There may be members in this House who feel very strongly that the allocation of public monies in the amount of \$130,000 for Al McLean's legal bills is a right and proper thing to do. I want this Parliament, before this Christmas, to have a chance, as it does with the spending bill currently before us, Bill 96, to clearly decide the question. That's why tonight at 7:30 I will debate and put an amendment that will be clear; and it's not going to be a delaying motion, I can assure you. I quite frankly think we've had the debate.

I want, in the interests of the taxpayers and the public and the common good, for all of us on all sides to stand in our place on this very particular and timely appropriation that is contained in a bill currently before the House and simply say, "Yes, I agree," or, "No, I do not agree." I again ask the Acting Premier, will you tell all members that before we adjourn or prorogue for Christmas, this House will have an opportunity to decide that question?

Hon David Johnson: Again I say that those matters, as the member for Renfrew North, having been here 23 years, knows full well, are subject to negotiation among the House leaders and that the government House leader ultimately calls whatever comes before this particular Legislature. In terms of the right and proper thing to do, as the member has indicated, I'm not fully aware of all the circumstances and the member for Renfrew North is not fully aware of all the circumstances involved.

The members of the Board of Internal Economy, where the jurisdiction for this matter properly rests, have done the best they can, I believe, in terms of dealing with a matter that has certainly been frustrating, certainly been exasperating. In the interests of the taxpayers, as the cost escalates month by month, year by year, the Board of Internal Economy, as I understand it, has simply tried to make the best possible decision on behalf of the taxpayers.

The Speaker (Hon Chris Stockwell): New question; the member for London Centre.

Mrs Marion Boyd (London Centre): To the Acting Premier: The members of government on the Board of Internal Economy serve at the pleasure of the Lieutenant Governor in Council, the cabinet. The Premier has said this affair was mismanaged. The finance minister, the Deputy Premier, has said they shouldn't have paid the legal fees. Members of your own party have said they shouldn't pay the legal fees. Public opinion out there says they shouldn't have paid the legal fees. They ignored the advice of the lawyer, they ignored the advice of the Speaker, they ignored the votes of the two opposition parties. Do they still enjoy the confidence of the government?

Hon David Johnson: I would reiterate what I indicated previously to the member for Renfrew North. It's my understanding that the members of the Board of Internal Economy, over a long period of time, have had various facts put to them with regard to this situation. They have watched the costs escalating. Whether they did

the right thing or not, I don't know — I know various people have expressed exasperation — but I do know they're appointed to do a job, and I believe and they've indicated that they've done the best possible job they can on behalf of the taxpayers. I believe this is what they've attempted to do, in awareness that costs have been escalating over the course of almost the last two years now. This is a matter I think they believed needed some resolution and needed some resolution soon, because the costs are continuing to escalate. I know it's not an easy job, it's not always a popular job, but I can only assume they've done the best possible job under the circumstances.

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Mrs Boyd: Acting Premier, you must understand that by continuing to keep those members of the Board of Internal Economy and then saying it's the business of the Board of Internal Economy, not the government, by refusing to remove them and name new members, refusing to look at any of the issues, you're going in a circular manner.

If you think the people of Ontario are going to accept that the government is not responsible when its House leader, its Chair of Management Board, its Minister of Transportation and its parliamentary assistant for finance are the members appointed by the Premier and the cabinet to the Board of Internal Economy, who made that decision against lawyers' advice, against the Speaker's advice, against the advice of the two parties in opposition, if you think the people of Ontario are going to think that the government isn't responsible, you'd better think again.

I ask you again. You've refused every means for the public to understand what is going on in this situation —

The Speaker: Question.

Mrs Boyd: — and why good old Al McLean's affair is getting hushed up and pushed away from the Conservative Party. I ask you again, Acting Premier, what do you have to be afraid of and do you —

The Speaker: Acting Premier.

Hon David Johnson: I don't know what all the legal advice was. I'm not a member of the Board of Internal Economy. The member opposite has indicated that she knows what the advice is, although apparently she says there are some other matters that she doesn't know about in terms of the investigative costs. She knows some things, she doesn't know other things; I don't know, really, what she knows about it.

I'll only say again that when you're in a position of authority, sometimes you have to make very difficult decisions. Sometimes they're not always popular. But when you look at the costs climbing day after day, and sometimes — I don't know if this is a circumstance, but I'm given to believe this is a circumstance where this board, which is seized of this matter, has looked at it from the point of view of the taxpayer and has said, "We can allow this to carry on for another year or years at additional cost to the taxpayer, or we can try to resolve it." I know that the federal government does that under various circumstances and, having been in municipal government, that municipal governments do that under

various circumstances, and I presume the Board of Internal Economy came to the same type of conclusion.

RESEARCH AWARDS

Mrs Brenda Elliott (Guelph): My question today is for the Minister of Energy, Science and Technology. Recent statistics have shown that in the last 10 years, two out of three new jobs created in Ontario have been as a result of technology-based and knowledge-based industries. I think we would all agree in this House that finding the place for Ontario as a leader is very important for our future.

We were very pleased in Guelph on November 24 when you announced \$6 million for the agri-system biotechnology centre at the university. We've been busy working on making Guelph the agribusiness centre of Ontario. But, Minister, you will know that my constituents in Guelph and in the areas of Cambridge and Kitchener-Waterloo have been concerned about what's often referred to as the brain drain. We have visitors in our gallery today, mainly young people who are concerned about what we are doing here in Ontario to prevent a brain drain. I would ask you what you are doing to address the growing need to educate and to keep our brightest and our best young people.

Hon Jim Wilson (Minister of Energy, Science and Technology): I think it's a very important and an excellent question by the member for Guelph. As Canadians, we don't do enough to celebrate our best and brightest, we don't do enough to celebrate excellence, and as a result we do suffer from the brain drain. It's not that we don't have excellent universities like the University of Guelph or excellent centres like the city of Guelph, which is indeed Ontario's agribusiness centre, where they specialize in high technology and biotechnology, but we don't do enough to recognize those young researchers.

On December 10, this government launched the Premier's Research Excellence Awards, a \$75-million program to reward those Nobel Prize winners or Nobel laureates of the future and to make them household names while they're in their younger years, in their post-doctorate years just after they receive their PhDs, and to give them the dollars and the supplies and the encouragement to really put Canadian science on the map —

The Speaker (Hon Chris Stockwell): Answer.

Hon Mr Wilson: — and to help us create those jobs that are being created in the high-tech sector. We're very pleased that the Honourable Dr Bill Winegard, the former University of Guelph president —

The Speaker: Supplementary.

Mrs Elliott: I can say to you that on behalf of the people of Guelph, we're delighted that you've chosen Dr Winegard. He's a fine gentleman and will bring an enthusiasm and an expertise to this research awards program second to none.

I guess I'm a skeptic, and I would say to you on behalf of all of those young people who are potential award winners and leaders in Ontario, the proof is in the

pudding. When can we expect to see money flow for this program to be up and running?

Hon Mr Wilson: As I was saying, I want to thank the Honourable Dr Bill Winegard, the former president of the University of Guelph, indeed a member of the Order of Canada and a former federal Minister for Science, for heading up the board of the Premier's Research Excellence Awards. As I said, it's a \$75-million program over the next 10 years. Up to 50 of our young researchers will be recognized each year. They will be nominated by their peers, and the board, chaired by Dr Winegard, will make decisions.

The first applications will be available February 1, and the application form for everyone will be available on my ministry's new Web site, which is www.est.gov.on.ca. Energy, science and technology, government of Ontario, is how you remember it. It's a user-friendly site. The applications are there. We encourage those young researchers, those people that we want to be proud of, those people that we want to make household names. We want to give them the dollars, we want them to continue their science and we want to help them to help us create more jobs in Ontario.

BOARD OF INTERNAL ECONOMY DECISION

Mr Sean G. Conway (Renfrew North): I want to return to the Acting Premier. Under our system of government and parliamentary business, the only time the full House, all of us as a Legislative Assembly, get to pass judgment on a matter like the McLean legal settlement is with this supply bill, this end-of-the-year spending approval bill. I'm interested, as I think all members are, about our accountability. This is the opportunity that we get as a full Parliament to pass judgment on an expenditure like this. It's now before us, because the spending bill, Bill 96, was read a second time yesterday by the parliamentary assistant and in the normal course of events would be decided today or tomorrow.

My question to the Acting Premier: Are you prepared to bring forward an amendment to the spending bill to provide all members of this House with an opportunity to vote yes or no to the McLean settlement?

Hon David Johnson (Minister of Education and Training): I would say, first of all, that obviously members are always encouraged to participate in a supply bill, and to the degree that amendments are valid, then certainly raise the amendments, and I'm sure the members will debate them and vote accordingly.

But there are other processes. There is the estimates committee, obviously, where members have the opportunity. With education I spent about 15 hours at such a committee, with questions being raised by the Liberals, questions being raised by the NDP, questions being raised by members of my own party, and lots of answers, lots of great answers. The member for Scarborough-Agincourt, about a week ago, had a briefing with regard to some of the ministry expenditures. Members have a number of

opportunities, one of which is the supply bill, and I'm sure the member for Renfrew North will take full advantage.

Mr Conway: Oh, I intend to, because this deal at the board was rammed through by the cabinet members of that committee just a few days ago. The members of this House had little or no opportunity to debate or decide that question in that committee, but that was that committee. It's now before Parliament, and so if you won't move the amendment, I intend to. I intend to do that tonight. I don't intend to delay. I don't even think we need much of a debate.

My final question today for you is this: Will you stand in your place today and tell this House, all members in it, and anybody watching that you will not frustrate my effort to put that question tonight and to get all members here tonight or tomorrow in the committee of the whole to say yes or no to the Conway amendment, which basically says we want to reduce the supply spending bill in the amount of Al McLean's legal bill?

Hon David Johnson: All I can say is there are procedures that deal with matters of this House. There are negotiations with the House leaders, procedures governing amendments, procedures governing votes. I have no authority to go beyond any of those procedures. I have no authority to order members to be here in the House.

I know members on the government side are always interested in the debate and members on the government side are always interested in financial matters. I'm sure the government will be extremely well represented and extremely well prepared to put forward its point of view on any matter that's debated, either tonight or at any other time.

1520

PETITIONS

TRAFFIC CONTROL

Mr Michael Gravelle (Port Arthur): "Whereas the Thunder Bay Expressway has been the scene of serious accidents in recent years; and

"Whereas as a result of strong lobbying by the community, including the OPP and Thunder Bay city council, an advanced warning light has been installed at Balsam Street; and

"Whereas since the installation of this warning light there has been a major improvement to the safety of that intersection; and

"Whereas to further increase safety on the expressway, more warning lights are needed further down the system; and

"Whereas the Balsam Street warning light is in its second year of a three-year pilot project to deem the effectiveness of advanced warning lights in the area; and

"Whereas surely two years is enough time to confirm that the advanced warning light system has made a positive difference;

"We, the undersigned, petition the Legislative Assembly of Ontario to end the three-year pilot project

early and assess the results that will show that the Thunder Bay Expressway would greatly benefit and become much safer if a full system of advanced warning lights were installed."

I've got signatures from hundreds of people in Thunder Bay and I am very pleased to add my name to that petition.

STEEL INDUSTRY

Mr David Christopherson (Hamilton Centre): I have a petition to the Legislative Assembly of Ontario:

"Whereas the Asian and Russian economic crises have contributed to a flood of steel imports into Canada at record-low prices; and

"Whereas the value of steel imported from Russia increased by 50% in the first half of 1998 over the first half of 1997; imports from Japan increased by 57%; and imports from Korea increased by over 500% in the first eight months of 1998 alone; and

"Whereas prices for almost every primary steel product have dropped by as much as 25% since the beginning of 1998; and

"Whereas the low-price imported steel threatens the viability of every steel producer in Canada," in particular Hamilton and Sault Ste Marie; "and

"Whereas the potential impact on our community and its families of the growing steel imports crisis is devastating, threatening thousands of jobs directly and indirectly;

"Therefore be it resolved that we, the undersigned, call on the Legislative Assembly of Ontario to urge the Canadian government to apply Canadian trade law quickly and effectively against this blatantly unfair competition, and further, to consider and explore any other extraordinary measure possibly available to Canada under its various trade agreements to deal with this unacceptable threat to our community's future."

I support my Hamilton neighbours by signing this petition.

HOUSING CO-OPERATIVE

Mr Carl DeFaria (Mississauga East): I have a petition signed by over 80 residents of co-op housing located at 425 Meadows Boulevard in Mississauga, people who I have the greatest honour to represent here at Queen's Park. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the residents of 81 units of the townhouse co-op located at 425 Meadows Boulevard in the city of Mississauga wish to have ownership of their units;

"Whereas the residents of the co-op should be entitled to obtain ownership of their units;

"We, the undersigned, petition the government of Ontario to urge the federal government to allow the residents to own their units and not to transfer them over to the Ontario government who in turn would transfer them over to Peel housing authority."

It's signed, and I will affix my signature to this petition.

BOARD OF INTERNAL ECONOMY DECISION

Mr John Gerretsen (Kingston and The Islands): I have a petition addressed to the government of Ontario:

"Whereas the taxpayers of Ontario are being compelled to pay \$600,000 to settle a case between two private individuals involving a sexual harassment suit between a member of the Conservative government of Mike Harris and a former employee of his; and

"Whereas the legal costs of the member of the government caucus involved in the private legal action brought against him by a former employee in his office will be paid for by the Ontario taxpayers as a result of Conservative members' votes; and

"Whereas the Conservative government is underfunding health, education and other vital areas under provincial jurisdiction but has money to pay for the legal obligations of one of its own members;

"We, the undersigned, call upon Premier Mike Harris to have his Conservative Party reimburse the taxpayers of Ontario for these legal costs incurred as a result of the McLean case."

I've signed my signature to it and I am handing it over to Jeremy, our page.

DENTAL CARE

Ms Marilyn Churley (Riverdale): I have several petitions and letters from people very concerned about the new schedule of dental services for children and people with disabilities. The petition reads:

"To the Legislative Assembly of Ontario:

"Whereas a new schedule of dental services for children and people with disabilities was introduced by the government under the Ontario Works Act and the Ontario Disability Support Program Act;

"Whereas the new schedule fails to meet the special needs of children and people with disabilities, reduces services, places barriers to accessing care, creates an environment for various different dental programs across Ontario;

"Whereas the move away from an emphasis on prevention under the new dental schedule brings significant health risks for children and people with disabilities who are often least able to practise good oral hygiene;

"Whereas the new dental schedule interferes with the patients' rights to consent to treatment by requiring administrators, and not patients or substitute decision-makers, to authorize and deny dental treatment;

"Whereas there is no method for the patient to appeal a decision by a plan administrator to deny dental treatment;

"Whereas pre-authorizations, called predeterminations in the new plan, will require that a higher level of confidential patient health information be disclosed to dental plan administrators;

"Whereas the Ontario government has caused confusion among patients by introducing the plan without adequate consultation and has not included any affected

patient groups in consultations after releasing the new dental plan;

"We, the undersigned, petition the Legislative Assembly as follows:

"Delay full implementation of the new dental plan until the requirement for predeterminations is removed, patient confidentiality is protected, the plan emphasizes prevention in oral health care, and the government consults directly with affected patients to ensure the new plan will meet the special needs of children and people with disabilities."

I affix my name to this petition.

FIREARMS CONTROL

Mr David Tilson (Dufferin-Peel): I wish to file a petition concerning the issuing of licences for the use of firearms, and I've placed my signature on this document.

PROPERTY TAXATION

Mr Dominic Agostino (Hamilton East): I have a petition signed by over 1,000 of my constituents.

"To the Legislative Assembly of Ontario:

"Whereas the result of the property tax assessment has caused a dramatic increase in personal property tax due to provincial downloading and the Harris government's new tax assessment legislation; and

"Whereas the increase in property tax will cause residents in the municipality of Hamilton-Wentworth financial hardship;

"We, the undersigned, petition the Legislature of Ontario to devise a fair and uncomplicated system of tax assessment in order to help those who cannot afford the property tax increase," as a result of the Mike Harris agenda.

I'm happy to attach my signature to the petition.

FIREARMS CONTROL

Mr Gary Fox (Prince Edward-Lennox-South Hastings): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Liberal government of Canada has passed Bill C-68, An Act respecting firearms and other weapons; and

"Whereas we welcome real gun control and support these portions of Bill C-68 which provide tougher penalties for the criminal use of firearms, new offences related to firearms smuggling and trafficking; and

"Whereas existing laws requiring the registration of handguns has done little to reduce the number of crimes committed with handguns or lower the volume of handguns smuggled into Canada; and

"Whereas the national gun registration provisions of Bill C-68 will result in a massive misallocation of the limited resources available to law enforcement agencies, with no practical effect on the traffic of illegal firearms or the use of guns by violent criminals; and

"Whereas the gun registration provision of Bill C-68 will take police officers off the streets and involve them in a bureaucracy other than fighting crime and will make the task of real gun control more difficult and dangerous for police officers;

"Therefore we, the undersigned, respectfully petition the Parliament of Ontario to continue to urge the government of Canada to repeal from Bill C-68 these provisions for a compulsory registration of all firearms."

I support this and sign it. I have over 200 signatures, with more arriving.

1530

VISITING SPECIALIST CLINICS

Mr Michael A. Brown (Algoma-Manitoulin): I have a petition to the Legislature of Ontario:

"Whereas the objective of the visiting specialist clinic program is to provide specialty services in communities where the population base cannot support a full-time specialist and where specialty services are established more than 40 kilometres away from those communities; and

"Whereas communities in Algoma-Manitoulin, including Espanola, Manitoulin Island, Elliot Lake, Blind River, Chapleau, Wawa, Hornepayne and Manitouwadge are situated great distances from the nearest established specialty services and travelling such distances poses undue hardship on people requiring these services; and

"Whereas the Ministry of Health has withdrawn funding for specialist support staff, seriously threatening the clinic program; and

"Whereas funding by the Ministry of Health for travel grants would far outweigh the costs to the ministry of providing support staff funding;

"We, the undersigned, petition the Legislative Assembly of Ontario to restore funding for support staff for the visiting specialist clinic program."

I agree with this, as do hundreds of my constituents.

CANCER PREVENTION

Ms Marilyn Churley (Riverdale): I have a petition which reads:

"To the Legislative Assembly of Ontario,

"Whereas cancer claims in excess of 20,000 lives annually in Ontario alone; and

"Whereas cancer treatment costs Ontario taxpayers in excess of \$1 billion annually; and

"Whereas the best way to fight cancer or any disease is through preventive measures; and

"Whereas the Ontario Task Force on the Primary Prevention of Cancer has advised the government to set realistic and realizable targets for phasing out the release of environmental toxins; and

"Whereas the Legislative Assembly on April 18, 1996, passed a resolution to that effect with support from all three parties;

"We, the undersigned, petition the Legislature of Ontario as follows:

"The Premier and the Minister of Health should immediately implement the April 18 resolution and strike a working committee to begin the task of setting realistic targets for the phase-out of persistent bio-accumulative environmental toxins."

I affix my name to this petition.

LAND USE PLANNING

Mrs Brenda Elliott (Guelph): I have a petition from a number of constituents. It reads as follows:

"We, the undersigned, request that the Minister of Natural Resources establish a system of truly protected wilderness areas, comprising 15% to 20% of Ontario's lands. Protection must exclude all resource extraction and development uses."

I submit this on their behalf.

TELEPHONE SERVICE

Mr Michael Gravelle (Port Arthur): "To the Legislative Assembly of Ontario:

"Whereas we, the residents or property owners of the Pearl Harbour Estates in Pass Lake near Thunder Bay, are without telephone service in our community; and

"Whereas the CRTC and Bell Canada seem to have no obligation to provide telephone service to our community; and

"Whereas when this community was proposed, Bell Canada gave the developer a verbal commitment that telephone lines would be installed if the poles were put in place; and

"Whereas the closest telephone line is less than a kilometre away; and

"Whereas the lack of telephone services endangers all of us due to our inability to contact emergency services such as ambulances and fire services; and

"Whereas the makeup of our community consists of senior citizens, home-based businesses, on-call professionals, and young children; and

"Whereas the year is 1998 and one would expect that a community so close to a major urban centre should have basic telephone services;

"We, the undersigned, petition the Legislative Assembly of Ontario to intercede on our behalf in our support to have telephone service provided to our community."

I'm very pleased to sign my name to that petition.

SCHOOL CLOSURES

Ms Marilyn Churley (Riverdale): I have a petition here from 350 people who have been concerned about their school closing. It reads:

"We're committed to the survival of St William School. St William School offers Catholic education, a nurturing learning environment, unique ecological garden program, special education program, Blake Street daycare.

According to the new government funding formula, St William School could be closed by June 1999. What will be the future for this building and property?"

I support this petition to keep St William School open, and I'll affix my signature to this petition.

PALLIATIVE CARE

Mr Bob Wood (London South): I have a petition signed by 24 people:

"Whereas most Ontario residents do not have adequate access to effective palliative care in time of need;

"Whereas meeting the needs of Ontarians of all ages for relief of preventable pain and suffering, as well as the provision of emotional and spiritual support, should be a priority to our health care system;

"We, the undersigned, petition the Legislative Assembly of Ontario to resolve that a task force be appointed to develop a palliative care bill of rights that would ensure the best possible treatment, care, protection and support for Ontario citizens and their families in time of need.

"The task force should include palliative care experts in pain management, community palliative care and ethics in order to determine effective safeguards for the right to life and care of individuals who cannot or who can no longer decide issues of medical care for themselves.

"The appointed task force would provide interim reports to the government and the public and continue in existence to review the implementation of its recommendations."

BOARD OF INTERNAL ECONOMY DECISION

Mr Michael A. Brown (Algoma-Manitoulin): I have a petition to the government of Ontario:

"Whereas the taxpayers of Ontario are being compelled to pay \$600,000 to settle a case between two private individuals involving a sexual harassment suit between a member of the Conservative government of Mike Harris and a former employee of his; and

"Whereas the legal costs of the member of the government caucus involved in a private legal action brought against him by a former employee in his office will be paid for by Ontario taxpayers as a result of Conservative members' votes; and

"Whereas the Conservative government is underfunding health, education and other vital services under provincial jurisdiction but has money to pay for the legal obligations of one of its own members;

"We, the undersigned, call upon Premier Harris to have his Conservative Party reimburse the taxpayers of Ontario for these legal costs incurred as a result of the McLean case."

ORDERS OF THE DAY

ENVIRONMENTAL STATUTE LAW AMENDMENT ACT, 1998

LOI DE 1998 MODIFIANT DES LOIS EN CE QUI CONCERNE L'ENVIRONNEMENT

Resuming the adjourned debate on the motion for second reading of Bill 82, An Act to strengthen environmental protection and enforcement / Projet de loi 82, Loi visant à affermir la protection de l'environnement et les mesures d'exécution à cet égard.

The Acting Speaker (Mr Richard Patten): Pursuant to the order of the House dated December 15, 1998, I am now required to put the question.

Mr Sterling has moved second reading of Bill 82. Is it the pleasure of the House that the motion carry?

All those in favour?

All those opposed?

Carried.

Pursuant to the order of the House dated December 15, this bill is ordered referred for third reading.

Mr Doug Galt (Northumberland): I move third reading of Bill 82, An Act to strengthen environmental protection and enforcement. It's my understanding that third reading debate is limited to an hour, and I understand there's an agreement to divide it equally among the three parties, 20 minutes each.

The Acting Speaker: Agreed? Agreed.

Mr Galt: I'll probably use much less than the 20 minutes.

I'm certainly pleased to be able to discuss the third reading of Bill 82, An Act to strengthen environmental protection and enforcement. This is a very special bill in that we're going to see the environment better protected in the future because those who do not pay attention to the laws, who are the polluters, are going to receive a far more stringent fine than they have in the past.

With this third reading, it's good to see that we've moved along so quickly with this bill. We didn't go out to hearings. The third party and the official opposition have agreed to it, and I certainly thank both of the opposition parties for being so supportive of this particular bill. I also recognize the member for Algoma, Mr Wildman, in his efforts to bring it in as a private member's bill, although I do wonder why it wouldn't have been brought in under the previous government when he was Minister of the Environment.

The Honourable Norm Sterling, Minister of the Environment, was commenting that with this bill we'll be taking the handcuffs off the Ministry of the Environment investigators and really putting those handcuffs on the offenders, those who pollute our environment, pollute our air, pollute our water and pollute our land. It's really high time that we had the ability to take those handcuffs and put them on the polluters and ensure that they are charged

and that those charges will stick and they will go to court and pay those penalties.

1540

I want to talk about the bigger picture and just how this bill fits in with our total environmental agenda. Since taking office back in 1995, this government has been committed to restoring the proper role of the Ministry of the Environment, the role of setting and enforcing strong standards for the protection of the air, for the protection of the water and for the protection of our land.

It was a pleasure for me to have the honour of steering a very comprehensive review of the regulations of that ministry. We've ended up with regulations that are stronger, safer and better than we've ever had before. I've been challenged and our government has been challenged several times by various members of the opposition in the third party about those regulations, that they have been weakened in some way or other. Repeatedly I've stood in this House and asked them to give me one regulation that has been weakened in this process, and I have yet to have a response from any member of the opposition, from any member of the third party or from the public that has zeroed in on a particular regulation that we have weakened.

In fact, we have strengthened all of the regulations. We've made them more understandable, clearer. There's more clarity in these regulations and for those who want to protect our environment they're better able to be understood by the businesses that are in the business of environment and want to protect the environment. They can understand them far easier than in the past, they're much clearer, and that was certainly the purpose of that exercise.

The present statutes that we have on the books are essentially quite sound. However, they do have a lot of limitations and barriers whereby the enforcement officers with the ministry have great difficulty in enforcing a lot of those statutes that are there. Some of those limitations handcuff our environment officers in dealing with people like repeat offenders, in forcing convicted polluters to pay the fine and also forcing the polluters to clean up.

It's certainly high time that we got on with this bill as it was brought forward as a private member's bill, pointing out that in Ontario we're lagging behind the rest of Canada in getting on with a bill such as this. It's great to see that we're going to have it in place; at least I think we're going to have it in place, provided this vote goes through. I see some nods from the opposition, an indication that it will be passing later this afternoon. With this bill in place we will be able to act very decisively in getting on with charging the polluters.

The purpose of this bill, of course, is to ensure that there is strong environmental protection and to ensure that there's maximum protection for our air, for our water and for our land. This bill is not about seeing how many people we can charge out there. We would be absolutely thrilled, as would the Ministry of the Environment, if there was no requirement to lay any charges, if everybody complied with the rules and regulations and laws that

come under the ministry, particularly under the Environmental Protection Act.

There has only a small number of people out there who disobey the laws that have been laid down by the Ministry of the Environment, and those are the people we want to zero in on. We don't want to zero in on all the people who are paying attention and doing a good job. We just want to level the playing field for those people. The changes that we're bringing in will lead to an increased risk of those who pollute getting caught in doing these offences. In the past, these offenders were very good at minimizing their risk, minimizing the risk to themselves; certainly they were not concerned about minimizing the effect on the environment. Most had very little concern about what might happen to the environment.

It's a fact out there that good environmental companies make a profit, and these regulations that we're bringing in are not going to be hard on those companies that do a good job and pay attention to what they're doing with the environment. It is only going to hit those companies that you might refer to as environmental dinosaurs. They're thinking in terms of yesteryear that the solution is the dilution, and that unfortunately has been the answer for many centuries. Many companies have cut corners in the past and ended up polluting our environment. With the penalties that are present in this bill, that should not occur into the future.

One of the biggest effects that this bill is going to have is that of levelling the playing field for all those companies that are in the activity of environmental protection or working with the environment. It's about fairness in ensuring that all those companies are playing and abiding by those same rules.

It's interesting in this bill that we're finally getting at some of the real culprits in the whole area of environmental protection, and those are not the people who are driving the trucks or the people who are pulling the lever on the dumps and letting the material out. These are the people in the past who have borne the brunt of the responsibility. The people we really need to get to are the brokers behind the scenes making the arrangements, giving the orders. It's the poor pawns, you might say, the drivers who have been caught in the past. The real culprit is the one behind the scene who has been pulling the strings for far too long.

The end result is that our environment has suffered because of these people and because of their terrible activities. They're going to be at far greater risk in the future. With this bill we'll be able to zero in on those individuals and ensure that they are at risk, the same as the person who's driving the truck or pulling the trip lever to let the material go out, or the person who's lighting the fire in the incinerator and letting some of those pollutants go out into our air.

With this bill the risk will certainly be higher for all concerned, but I want to stress that it will be much higher for those who polluted the environment in the past. It will zero in on those polluters; it certainly will not zero in on those who comply. Those who comply will have actually

less reason to be fearful with this particular legislation. They should be very happy with this legislation, as they are meeting the standards that have been set by this ministry. They are complying and therefore would have very little to be concerned about.

We're really concerned that in the future these good players will be better able to compete. It's certainly only fair that they have that opportunity. This legislation will give those good players a so-called leg up on their activities. They will be able to do even that much better when they're competing.

Mr Dominic Agostino (Hamilton East): On a point of order, Speaker: Is there a quorum?

The Acting Speaker: Check for a quorum.

Clerk Assistant (Ms Deborah Deller): A quorum is present, Speaker.

The Acting Speaker: The member for Northumberland.

Mr Galt: Thank you very much, Mr Speaker, for checking that out. It's a little unfortunate that the member for Hamilton Centre is unable to count all the way up to 20, but I appreciate your recognizing that there are a full 20 members in the House.

Mr Agostino: On a point of order, Speaker: In defence of the member for Hamilton Centre, who is not here, I am sure he can count up to 20 and beyond that.

The Acting Speaker: That's not a point of order.

Mr Galt: I was pointing out that some of these companies have some excellent skills in managing their companies. These are the same companies that use similar skills in protecting our environment, and they certainly will be in the future, and there's no concern for those companies with this particular bill.

Our government is very committed to ensuring that there's a maximum return on all of the issues, all of the things that we turn to, whether it be health care, whether it be education or whether it be our investment in environment. This is about ensuring that we will have the maximum return on our investment.

The law is worthless if we can't enforce it, and with the rules and with the changes in this particular legislation we will be able to better enforce our environmental regulations into the future.

1550

It's good to see and good to have in this legislation the ability to order polluters to clean up — at least the costs of cleanup. Many in this House have heard the stories of things being dumped on side roads, people with a half-ton truck or a dump truck pulling up to a farmer's field and dumping into the field a load of asphalt shingles, a load of tires or whatever. The local owner comes out and sees this in the field and he or she is the one who's stuck with it and has to pay for the cleanup, which is grossly unfair. Even if that particular polluter is identified and found and charged, they still have to go to civil court and sue. It is very unfortunate that innocent property owners would be caught this way.

Similarly, municipalities often get caught this way when the materials are dumped on to a side road that

belongs to the municipality. Also on occasion, when it's a very major one, like say Plastimet or the Deloro mine, the Ontario government, through the Ministry of the Environment, ends up having to bear the brunt of those polluters and those people who owned the property previously. It's only fair that the innocent party should be protected. These innocent parties have been complaining to a lot of our offices over many, many years.

Since 1985, there has been some \$10 million in charges that have not been collected. This indicates that our present statutes may be good in laying out what should be done but that when it comes to enforcing they're just not working. Bill 82 will enable us to collect more of the fines being put out there.

One of the ways that we'll be able to collect those fines is through increased authority in seizing equipment that's being used in the crime of pollution. If the polluter does not pay the charge or the fine that's been levied, then that equipment will be kept and sold. Similarly, with this bill we will be able to seize the plates and permits of vehicles, and again, if they do not pay the charge that's been levied, they end up not having those plates or permits returned. Through these seizures, whether of plates or permits or equipment, we will be better able to protect the environment. That is certainly the intent of this whole bill, and it will be far more effective in the future.

In concluding my remarks, I'm of course very supportive of this bill. It's good to see that the official opposition and the third party have also been supporting it on first reading and through second reading, to the point where they support it enough that it wasn't required to go out for hearings and we can move on and have this in place, at least have the third reading through, prior to the break at Christmastime. There's no question that it's an excellent piece of legislation that's going to force the polluters to pay. Also there will be some obvious protection for those who are doing a good job looking after the environment.

Our ministry is all about protecting the air, the water and the land. I can assure you that Bill 82 is about ensuring that our air and our water and our land are properly protected into the future.

The Acting Speaker: Further debate?

Mr Agostino: I would like to ask for unanimous consent that the remaining time be split evenly between the two opposition parties.

The Acting Speaker: Agreed? Agreed.

Mr Agostino: Thank you, Mr Speaker. I will split my time with my colleague from St Catharines.

First of all, as we indicated on second reading, we will support this legislation. The bill in front of us frankly is good from the point of view of what it contains in strengthening regulations for collecting and enforcing rules that are in place. A great deal of credit for this bill has to go the member for Algoma, who introduced a similar bill. It's unfortunate the government took three and a half years to see the light and, rather than bring this in as one of the first pieces of legislation that was already there sitting for them when they took office, waited and

basically floated this as a final goody in what has been a destructive government in protecting the environment.

Supporting this bill in front of us does not in any way, shape or form indicate support for the environmental agenda of this government. I want to make it very clear to anybody who has any doubts about that, because it has been an environmental agenda that has been destructive to Ontarians. Interestingly enough, the member for Northumberland said, "We are committed to restoring the proper role of the Ministry of the Environment." I want to ask if restoring the proper role of the Ministry of the Environment meant cutting over 31% of its staff, over 700 employees. I want to know if restoring the proper role of the Ministry of the Environment meant cutting 45% of its operating budget. I want to know whether restoring the proper role of the Ministry of the Environment meant getting rid of over 500 water-monitoring stations. I wonder whether restoring the proper role of the Ministry of the Environment meant removing 40% of air-monitoring stations across Ontario.

If this is what the ministry and the minister mean by restoring the proper role of the Ministry of the Environment, clearly today — and I'm pleased that the Minister of Health is here today, because the link that scientists and medical experts have made between health and environment is indisputable today. We know very clearly that 1,800 Ontarians die prematurely every year as a result of poor air quality. We know clearly that the Ontario Medical Association, not a group of radicals or left-wing wackos out there somewhere but one of the most conservative-minded organizations in this province, came forward and slammed this government on its environmental agenda, on its cuts, on its changes.

So yes, bringing this bill in, in a last-minute plea to pretend that somehow you care about the environment, is a noble effort. You have failed miserably in your three and a half years at the helm of this ministry. Yes, this legislation, this bill has some teeth and mechanisms once you catch the polluter, or once you're able to track down the perpetrator of a crime to the environment and the environmental legislation of this province, but there's a real problem here, and the problem is that this ministry no longer has either the ability, as a result of the cuts, or the public confidence to do its job.

It is not the fault of the front-line staff in the ministry offices across Ontario. It is not the fault of the men and women who have dedicated their lives in the ministry to protect the environment and do all things that are right. It is the fault of this minister and of this government that have abandoned them, that have cut off their funding, that have not changed regulations as has been requested for a number of years by the auditor. It has tied one hand behind the back of every single man or woman who works for the Ministry of the Environment and tries to protect the environment in this province and tries to enforce environmental legislation.

I ask the government and the minister how this bill helps avoid another Plastimet in Hamilton. The answer is clear: It does not in any way, shape or form stop another

Plastimet from occurring. Let me tell you why. This government, first of all, has failed miserably in implementing the recommendations of the fire marshal's office after the last fire. This government has failed miserably in upgrading any regulations in regard to recycling that would prevent any company from storing plastics and pretend that they're a recycling company, as Plastimet did. What is most simple of all in all of this, and I think most disturbing, has been this government's lack of willingness to call a public inquiry into the Plastimet fire. When you look at these regulations, I again ask the government to tell me how these regulations will prevent another Plastimet. They will not.

I was hoping somehow that through the debate and through second reading and through the possibility of amendments the government would put the other side of the coin on this. The one side of the coin here is basically the regulations they've put in place, and I understand that, but the other side of this would have been a toughening of the standards in Ontario, increasing enforcement, enhancing the enforcement branch and standards in Ontario, but they have failed to do that. They have failed on a great opportunity to take what is a good piece of legislation on one side and on the other side to put the tools in place to make this legislation work for Ontarians.

1600

In my own community, we have seen the reality of the Harris agenda. We have seen the cuts to health care, to hospital funding. We have seen hospitals in Hamilton being cut in excess of \$120 million by this minister and this government, when they promised they weren't going to cut hospitals. We have seen the closure that will occur shortly of the Hamilton Psychiatric Hospital as a result of this government's agenda. We have seen the betrayal of St Peter's Hospital when it comes to health and long-term care by this government. We have seen all that.

Mr Mike Colle (Oakwood): Northwestern hospital in Toronto.

Mr Agostino: We have seen Northwestern hospital in Toronto, as my colleague the member for Oakwood just reminded me, another of the victims of the Harris agenda.

If you look at education, we have seen the cuts, we have seen the waiting lists for special ed, we have seen the overcrowded classrooms.

When it comes to the environment, we have seen an agenda that has been destructive to Ontarians but especially to the people I represent in Hamilton East. I represent an industrialized riding. I have many homeowners who have modest, well-kept, affordable homes close to the industrial core of my community. These are people who have worked very hard their whole life. They have kept their homes, they've maintained their homes, they're proud of their homes and their properties. But these are people who, unfortunately, are often a stone's throw away from large industry, from companies that pollute our air and our water. These are the people who look to and need the protection of the Minister of the Environment.

What did you do when you took office? You cut the staff, you labelled complaints such as odour, dust and

noise to be nuisance complaints in your priority in responses. So when someone from the beach strip in my community would wake up with three inches of black dust on their car, on their property, on their windows, on their veranda, and they would call the ministry, you would say, "I'm sorry, that is not a priority for us to respond to." That's what you've done.

Odour: You have labelled that a nuisance complaint. So when people on the beach strip or in the northeast end of my riding wake up or in the middle of the afternoon they go outside with their kids and there's an odour that is difficult for them to deal with, it's difficult for them to breathe, they call your ministry, and what do you say? "I'm sorry, that's a nuisance complaint; we don't respond to it."

You've fixed the problem. You don't have complaints about odours, dust and noise, because you no longer respond to those. They no longer matter; they're no longer kept track of. It goes on and on.

This bill, frankly, is window dressing without the other side. I am sure that when the member for Algoma introduced this bill he certainly knew and understood — and in fairness to the previous government, they had made some strides, some efforts and some improvements in the Ministry of the Environment.

Mr Bud Wildman (Algoma): We expected there was going to be a ministry there to enforce it.

Mr Agostino: Exactly, that there was going to be a ministry there. Without the ministry, this bill is useless. Without the ministry there to enforce it, it is useless. You cannot enforce legislation, laws and standards when you have cut 31%, or over 700 staff in your ministry.

Mr Galt: Where are you going to get the money? Cut the pension pay for your federal Liberal cousins?

Mr Agostino: The member for Northumberland again is talking about the money. That's what I love about the Tories: For the Tories, everything is priorities. It's priorities to you.

Frankly, 1,800 Ontarians dying prematurely every year is a priority to most Ontarians, although it is not a priority to the member for Northumberland, the Minister of the Environment or the Minister of Health across the floor. It is not a priority to this government that 1,800 Ontarians die prematurely every year as a result of air quality.

They talk about what they've done. They talk about doing more for less. I guess maybe if 3,000, 4,000 or 5,000 becomes the body count, maybe they'll decide to act. Maybe when a body count of 5,000 Ontarians every year is acknowledged as a result of air quality, maybe they'll act. But it's not important enough for them yet.

This government, as they did with Plastimet, as they did in many other communities across this province, knows very well that the areas that are often more impacted by air quality and poor water quality and air pollution are some of the poorer areas of our communities, not the big, rich, affluent neighbourhoods that you tend to represent, because they're far enough away. They're hidden, up on a little hill somewhere, away from where industry belches its pollution and smoke every day. But the people I repre-

sent, the people many members of my party represent, have to live with that every single day.

It is insulting for you to stand here today and boast about this bill and what it's going to do for environmental protection. It is fraudulent for you to do that while at the same time you abandon your ministry, your staff and your regulations because it's not important enough to you, because it is not a priority, because for the rich Ontarians who lobby you and talk to you and come out to the Albany Club to support your fundraisers, it's not a big deal.

They don't have a say. They can't go to the Premier's office the way the elite and the wealthiest in this province do, and so therefore you don't respond.

I can tell you that Ontarians are not going to forget or forgive what this government has done in regard to environmental enforcement across this province. Ontarians understand the link, although you don't, between kids with asthma and the environment and smog and air quality. Ontarians understand the link between seniors who have heart or breathing problems and can't go out on smog days. They understand that link. People who often become prisoners in their own homes as a result of health and environmental concerns understand that link, although you don't. I'm just not sure what is going to make you understand, before the next election, the seriousness of this issue and the seriousness of what you've done.

In the minute or so that I will take before I wrap up and give the opportunity to my colleague from St Catharines to speak, I want to go back again to the devastation that this government and this ministry, this minister, have caused for the community I represent of Hamilton and Hamilton East. I would remind this government that you had an opportunity to act after the disastrous Plastimet fire, and you have failed miserably. You're afraid to call a public inquiry because you know it will show that your cuts and your move contributed to the Plastimet fire in Hamilton. You don't have the guts to strengthen the regulations, which means another Plastimet fire can occur today in any corner of this province, because you've done nothing to change the rules that would prevent that.

We have a situation in my own riding of a company called Clean Soils that simply left 60,000 tonnes of waste, contaminated soil, and walked away from it. The ministry has a letter of credit to clean up the mess. This is the government that talks about getting rid of red tape. They have basically shafted my residents for the last six months in fighting between the Ministry of the Environment, the Hamilton Harbour Commission and the company, when the ministry has the money, through a letter of credit from the company, to walk in and clean up the Clean Soils situation on Eastport, and you have failed to do that.

You have failed to contribute a portion to harbour cleanup for Hamilton Harbour and to live up to your part of the deal. You have failed my community of Hamilton and Hamilton East with your environmental protection.

You have failed the province. I can tell you that with this bill, this window dressing on what was a bill from the member for Algoma that was well-intended and meant to be backed up by a ministry that had the numbers and the

ability to do the job, you only took half of the idea. You put the bill in, but you weren't willing to put the investment on the other side to make sure the job gets done. It's not going to fool anybody. Cyanide is still cyanide, even after you try to put your Kool-Aid in it.

Mr James J. Bradley (St Catharines): I would like to say that this bill could make a contribution to environmental improvement in the province, and it would if there were the resources available to carry out the provisions of this bill. I lament the fact that the Ministry of the Environment has had huge cuts to its staff and to its funding to be able to carry out its responsibilities.

The Minister of Agriculture is here today, and perhaps he could make the same argument for the Ministry of Agriculture — most ministers would — that you need the resources to carry out your responsibilities. When the Ministry of the Environment doesn't have them, you can pass all the legislation you want; it can't be nearly so effective as having that. We've had well over a 30% cut in the staffing complement of the Ministry of the Environment, and indeed the Ministry of Natural Resources, which carries out some environmental activities, conservation activities, in this province had even greater cuts; and of course the funding: If you don't have the resources to carry out your responsibilities, then all the legislation in the world doesn't help.

1610

I mentioned when I spoke on second reading on this that this bill is better than a kick in the shins or a poke in the eye, but not a heck of a lot better than that because of the fact that there will not be the people to carry out the provisions of this bill.

When my friend the member for Algoma brought it forward, he anticipated that there would be staffing requirements for it, that they would need the resources. Perhaps with the resources that already existed with the Ministry of the Environment when he was minister they would have been able to carry out these responsibilities, may not have needed more people, but they would have needed at least the people who were there.

It's pretty hollow when you look at the record of legislation and regulations with this government. Virtually every bill outside of this bill has been there to weaken the environmental effort of this province, the environmental stance this province takes. Whether it was the environmental assessment process where they simply said, "Let's make it a lot easier to get through that process" — and I know that makes developers happy, makes proponents happy, but it often results in costly environmental mistakes.

Then there's the environmental approvals bill, which allowed easier approvals of projects. I know the other process was onerous and everybody wanted to find a way to make it effective but faster, but all this government did was weaken the approvals process. It increased the risk of environmental problems arising as a result of new developments by proponents in the province.

I look further at the red tape bills. Everybody looks at these red tape bills and they kind of sound good to a certain segment of the population. There was a red tape

bill brought in yesterday or the day before by the Minister of Consumer and Commercial Relations. Do you know what it reminded me of? It reminded me of Bill 26, the huge omnibus bill — we in the opposition call it the bully bill — which gave tremendous powers to a few cabinet ministers and officials within various ministries, and of course the Premier's office and the Premier's advisers, who are all-powerful in this government. As a result, Bill 26 has had ramifications which are being felt today. I mention for instance that they can close hospitals anywhere in this province. The commission that was established by it — the hospital closing commission, I call it — has order the closing of Hotel Dieu Hospital in St Catharines. It's one example.

There were other provisions: the Mining Act, for instance. There was a lessening of the restrictions on mining companies and how they would look after the mine after it was finished, the tailings that are there, and when they're finished mining it out, what kind of environmental shape they would leave it in. That was weakened considerably as a result of the bill. We've had nothing but that.

The poor Minister of Agriculture is affected by the changes to the Planning Act. The minister is compelled to defend the government position and I understand that. I don't expect he's going to be out in public speaking against it. That's cabinet solidarity, that's part of the process and I don't criticize him for that. But I can tell you that the Minister of Agriculture's job has been made much more difficult. One of his responsibilities — and this minister, as with every other Minister of Agriculture I can remember in recent years, would like to preserve agricultural land and would like to have the opportunity to preserve the farmer on that land so he can preserve that land. The very significant changes to the Planning Act by this government, easing the restrictions on development, are going to have ramifications for our farmers and our farmland which are going to be extremely detrimental and hard to reverse.

I look at the Niagara Escarpment Commission. In the new red tape bill I saw a provision regarding the Niagara Escarpment Commission. I hope, when the House is no longer in session, that members of the news media and the public will have a chance to analyze that huge so-called red tape bill which was brought in. I'll tell you, it's got some very frightening provisions in it for people in Ontario. I looked at that Planning Act and I said, "You know, the other Planning Act, with three years of consultation and a lot of input, tightened up many of the provisions of the Planning Act. In some cases the developers were happy with parts of it and they were very unhappy with other parts of it and that's most unfortunate."

There has also been a devolution, or what I call down-loading or dumping, of responsibility by the provincial government on to municipalities for environmental things; for instance, water and sewer projects. The minister lists that as one of his achievements. I can tell you it isn't, because many municipalities which now have to meet other financial responsibilities such as public housing and land ambulances and certain public health provisions and

other provisions that have been dumped on them by the provincial government, along with the bill to go with it, are going to have a hard time dealing with water and sewer the way they used to in the past.

I say with this bill, because I think it's a tiny baby step forward, I'm certainly not going to vote against it. I hope that we will see much more in the new year in the way of environmental provisions. I suspect, however, that this may be the last significant session of the Legislature and that we will come back to what we call a throne speech and a budget, and this crowd will head to the election campaign without passing any of that other legislation.

We will not be opposing this particular piece of legislation. We simply ask that the government restore to its previous levels the amount of funding and the number of staff available to carry out its provisions.

The Acting Speaker: Further debate? The member for Cochrane South.

Mr Gilles Bisson (Cochrane South): Thank you very much, Mr Speaker. I just want to notify you that we'll be splitting the time between myself and the member for Algoma, if there's agreement.

I get into this debate on a bit of a funny note here. I find myself in an awkward position — I shouldn't say "awkward"; that's probably not the right word. I find myself in a strange situation where I've got a bill before me, as a legislator, that I support. I think there's much in this bill that is positive, much in it that are steps in the right direction when it comes to what they're trying to do vis-à-vis protecting our environment. Yet I find myself in a situation of knowing that even though I'll vote for this bill at third reading and support this bill to allow it to pass, it's not going to mean a heck of a lot because there is not the mechanism within the Ministry of the Environment or other ministries that are affected by this bill to properly police this bill, to make sure you're able to enforce and make sure the provisions of this bill are followed as in the law.

I find myself in a situation of saying that if a government is going to bring a bill forward, I would at least hope that the government would say, "OK, we have a policy that we want to adopt and we would like to put in place for the province of Ontario." But you would think that at least there would be some kind of process or some sort of accountability on the part of the government to make sure they have the mechanism in place so their own law can be enforced, or that they have the dollars to make this bill work. Much of what's in the bill I think is great, but if you cannot enforce it, it won't be very good.

It brings me to this point, and I want to say two things to this bill: First of all, the bill is almost a virtual photocopy of the bill the New Democratic member for Algoma, Mr Wildman, introduced in this House a couple of years ago. We find ourselves basically voting on what was the bill from the member for Algoma. At that time, the government decided they were not going to allow his bill to go forward for whatever reason. I would have thought it was because they wanted to have the chance to cost the bill. The bill had passed unanimously, as the member for Algoma says. I thought maybe they wanted to come back

with this bill because they wanted to take their time, get it right and make sure they got the facilities in place to enforce the bill and make sure everything was done properly.

But we find ourselves yet again in a situation where what this government does has very little to do with common sense and everything to do with politics. That's what this is all about. This government wants to go into the next election saying that they are friendly to the environment, that they are vigilant in making sure that our environment is protected not only for our generation but future generations. This bill, without the staff in place at the Ministry of the Environment to follow through by making sure it's properly enforced and monitored, is window dressing. It's not going to mean a heck of a lot if you're not able to go out and catch somebody.

This brings me to the point I want to make in the seven or eight minutes I have: I really believe, as an individual who has served in this place now for some nine or 10 years, by virtue of having dealt with many people both inside the environmental community and the industrial community, that what people really ask for is clarity of rules. The environmental movement wants to know what the rules are so they can assure themselves that when companies are out there doing economic activity in whatever industry it might be, it's being done in an environmentally sensitive way and a sustainable way.

1620

On the other side of the picture you have the companies themselves: forestry companies or mining companies or petrochemical industry, car companies, whatever they might be, who say "Listen, we are investing dollars in our plants," to be able to produce whatever good it might be that they're producing, or extract whatever resource. They need to know what the rules are. They want to know, at the end of the day, that the rules as set out in the government law are X, Y and Z, that the rules are not so onerous that they don't allow them to operate but, in the end, that there is clarity about what the government is asking for and what the government will do should those rules not be followed.

I think this is where this bill is getting into really dangerous water because what you've got is, on the one hand, a company or private operator looking at the bill and saying, "OK, I sort of know what the rules are," but on the other hand saying, "Jeez, if I go out and break this rule, maybe I can get away with it." With the Ministry of Environment being cut to the point that it was by the Mike Harris government, there are going to be unscrupulous operators out there who are going to say: "Yeah, there is a law in Ontario that says I can't do this, but I know that the government's got no teeth. There's hardly anything they can do to make sure that I'm doing what is called for in the bill." I think the government is doing a big disservice to both the environmental community and the private sector, and to the citizens of Ontario generally, by doing what they're doing.

If you come forward with a bill such as this, which does make sense, and then demonstrate to this House that

you have the resources in place to make sure that the bill can be properly enforced, most people will have confidence in what you're doing. But if you come forward with what is a good bill and you don't demonstrate that you have the ability to make the bill work, people say, "Listen, this is window dressing."

The government is really trying to make themselves look environmentally friendly after having done a whole bunch of things to weaken environmental legislation in Ontario. They have allowed a whole bunch of things to happen in the quarry industry that never used to be allowed. You can now dump garbage into a quarry, something that was never allowed before. They have weakened a number of rules and regulations through the omnibus bill that was introduced back in 1995-96. There's a whole host of things that they have done to weaken environmental standards in this province. This bill is all about trying to find a way to say Mike Harris is environmentally friendly, and I say, in his actions, we're finding otherwise.

I also want to come back to the second point that I made, which is about making the rules clear. For the members who are here, and maybe this will make a little bit more sense when you put it in the context of what we deal with as MPPs in our daily lives as we work within our ridings, all of us as members of this assembly — I think most of us anyway — have been approached by constituents in our ridings to advance a particular project that they might have.

I've been involved in a number of projects from the private sector dealing with tourism initiatives, private sector development initiatives, natural resource initiatives, where the proponent of the development project comes to me and says: "Gilles, I need to know what rules are in place in Ontario when it comes to putting forward this particular project. Is there any assistance that the government or the private sector can offer me to allow me to bring my project to fruition or to expand on what's already there?" As members, we play a role of facilitating the meeting of all these various people with the proponents of the project.

I want to relate to you one example that I recently had in my riding where we're seeing the effect of what this government is doing and what it means when people are trying to get business off the ground. I had a meeting with a Mr Henry Dumouchelle and his partner, oh, I'd say initially about two months ago. They came to me and said: "We have a project that we'd like to get off the ground in the tourism industry. We're a little bit confused as to what the provincial government wants to do because when we call the Ministry of the Environment or the Ministry of Natural Resources or the Porcupine Health Unit or whatever, those people are trying to be helpful to us, but they never seem to be able to give us the answers we're looking for because it seems as if they don't have enough time to deal with our request in a way that would satisfy our questions."

They came to me as their provincial member to facilitate meetings within the various ministries to allow

this project to go forward. As a result, we had a meeting with the Ministry of Natural Resources, and I must say the individual from the Ministry of Natural Resources was very helpful, very friendly, did everything he could to properly understand what the proponents, Mr Dumouchelle and his partner, were trying to put forward when it came to this tourism project and was trying to make sure that he was able to get the answers they wanted.

But when I was at that meeting, it was very apparent to me and very apparent to Mr Dumouchelle and his partner that the Ministry of Natural Resources was unable to deal with those questions and get answers for them in a timely fashion because the ministry had lost 50% of its staff.

Now we have a situation where we have proponents in my riding who are trying to start up a business in the tourism industry — and in the end I hope it's going to work — and they're finding it a little bit difficult to get answers from the government as to what the rules are and how you deal with the building of this particular facility within the context of the rules of the environment and the rules of the Ministry of Natural Resources and others. We're seeing concrete examples where people in the private sector who are trying to get businesses off the ground are having difficulty getting answers. Why? Because this government has gone by and has decimated those ministries that took the lead on many of these projects, in this particular case, the Ministry of Natural Resources and the Ministry of the Environment.

I say to the members across the way, if you want to put yourselves out to be the proponents of the private sector and of creating a good business climate in Ontario for people to invest, I would suggest to you that you have actually failed in that end quite miserably because you have moved yourselves away from any ability to offer any kind of assistance by way of financial programs, such as the heritage fund, the northern development corporation and others.

But then to make matters worse, you have mixed up the rules as to what the requirements are under law when it comes to the Ministry of the Environment and others for the proponents of the project. When proponents go forward to try to get answers, they can't get answers because you have decimated those ministries by better than 50%. I say to the members across the way, I will continue working with Mr Dumouchelle and his partner and I'm sure in the end we will be successful in getting our answers, but I'll tell you, it's frustrating for those proponents when they can't get the answers they need in a timely fashion so they can make an economic decision as to whether their project should go forward or not.

With that, Mr Speaker, I want to thank you for giving me the opportunity to debate this very important bill.

Mr Wildman: I appreciate my colleagues making it possible for me to participate in this debate on Bill 82, the third reading.

I'm really of two minds as I intervene in this discussion in the assembly because, as has been mentioned by many members throughout the debate, Bill 82 is essentially almost a carbon copy of Bill 24, which I introduced two years ago in the Legislative Assembly and which was

debated at second reading and passed unanimously by the members of the assembly. The purpose of that bill was to crack down on the quick-buck artists who are prepared to break the rules in order to make money and, in doing so, to pollute the environment.

Prior to 1995, we found that particularly in the greater Toronto area, but in other parts of the province as well, there were a significant number of operators who were trucking garbage to illegal dump sites and just simply dumping it. There were others who were acting as if they were recycling entrepreneurs. They were renting buildings supposedly for their recycling activities and simply filling the buildings with garbage and then leaving.

There were others who were pretending to recycle and perhaps even wanted to recycle but then found the market disappeared and simply left the material in a site and disappeared. Their company may have gone bankrupt and so on. There were some property owners who were being significantly harmed by this, the owners of such buildings whose tenants just absconded and left them with a building full of garbage, or there were rural property owners, farmers who found that somebody had dumped a bunch of tires, for instance, on the back 40 without permission and the property owners then were responsible for cleaning it up. There was no provision in the law for restitution if and when the ministry was able to find the perpetrator.

1630

Prior to 1995, the Ministry of Environment under my direction instituted a blitz in conjunction with the Ontario Provincial Police, the regional police and officials of the Ministry of Transportation in which they did a number of spot checks across the GTA and found a significant number of violations in terms of the transportation of hazardous waste, the illegal dumping of hazardous waste and so on. But what was also discovered was that the ministry did not have all of the legal tools required to really put a stop to this kind of operation and some of these operators were treating the penalties involved, even the fines involved, as simply a cost of doing business. They'd pay and then they'd just continue.

This was most unfair to other legitimate businesses, to legitimate truckers who were transporting waste or to legitimate recyclers who found that they were in an uncompetitive position since they were following the rules and meeting the requirements of the regulations but their competitors were taking all these shortcuts and breaking the rules and carrying out illegal activities. It wasn't fair. It wasn't what the business community calls a level playing field.

That was the purpose for my private member's bill. It was to give the ministry enforcement officials the tools required to get these fast-buck operators, these illegal operators out of business; to make it possible for them to seize equipment and trucks; to make it possible for them to order cleanup and to order restitution to property owners; basically, to make it possible to put them out of business and to take them to court, and if and when they were found guilty, to ensure that there were heavy penalties and fines

that would be a deterrent to further operations and not just be treated as the cost of doing business.

As I said earlier in the debate, plagiarism I suppose is one of the highest forms of flattery, so I appreciate the fact that the minister has now taken my bill and is putting it forward as a government piece of legislation. I do appreciate the fact that the government has copied my bill and they're bringing it forward as a government piece of legislation and it will be passed into law. For that reason I'm in support of the government legislation.

However, I'm most concerned about the Ministry of the Environment. We've seen enormous cuts to that ministry, as well as to the Ministry of Natural Resources, under the Conservative government. About 40% of their budget has been cut. The staff has been cut by about the same magnitude. The Ministry of Natural Resources, for instance, can't do the job any more. It's as simple as that: They can't do the job.

Ms Shelley Martel (Sudbury East): They're in the auditor's report.

Mr Wildman: That's right. It's not just members of the opposition who are saying this; the Provincial Auditor has said, "We can't have enforcement." The Minister of the Environment in this debate has said: "No, don't worry. The cuts have only affected the administration. It hasn't affected the enforcement branch. We still can do the same enforcement." The Minister of Natural Resources has repeatedly said in this House, "We have the same number of conservation officers on staff, the same number of badges as we've always had," ignoring the fact that a lot of those badges are sitting behind desks in the Whitney Block rather than out in the field doing the enforcement.

Ms Martel: Sixty-five of them.

Mr Wildman: Sixty-five of those so-called conservation officers are conserving paper in offices; they're not out there conserving our natural resources and enforcing the regulations to protect those natural resources.

Mr Gilles Pouliot (Lake Nipigon): They would want to be.

Mr Wildman: Certainly, they would want to be.

I'm of two minds. I support the legislation because I think we need to give the enforcement officers the tools to ensure that illegal waste operations are put out of business, but I'm concerned that the government is simply bringing this before the House for passage into law just before we go into an election campaign because they want to be able to say to those in Ontario who are concerned about the environment: "Look, we've got this piece of legislation. We've increased the enforcement. We've increased the fines. We've increased the penalties. We can even seize equipment. Therefore, we, the Conservatives, really do care about the environment."

They will be saying that, but in reality the officers won't be available to enforce this legislation. Frankly, that is bad legislative practice. It is worse to pass a law if the enforcement is not going to happen than if you hadn't passed a law in the first place, because it calls the law into disrepute. If the quick-buck operators come to the conclusion, "Yeah, the law has been strengthened, the penalties are there on paper, the fines if we're caught can

be very high, but there are so few enforcement officers that it's even less likely we'll be caught than it would have been under the old regulations," then it's worse than if we'd never done this at all; it shouldn't have been done.

I support the legislation and I regret very much that this government does not really believe in government. It doesn't believe that government regulation is a good thing to make sure that the businesses and the industries have a level playing field, that the legitimate operators are not put in an uncompetitive position in having to compete with the ones who are willing to cut corners and break the rules and act illegally and pollute our environment in the process.

Regulation is required to resolve those problems. Enforcement is required to resolve those problems. If this bill is to be effective, if it's to mean anything other than simply to be something that the government members can wave around in an election campaign and say, "Look, we did something," then we must have enforcement and that means the Ministry of the Environment and the Ministry of Natural Resources, the police forces and the Ministry of Transportation all must have the resources, the staff, to make it possible for this to be enforced.

It's ironic that we now have two hours for third reading debate and we're coming close to the end. This is a bill that is supported by all three parties. The opposition has serious reservations about the ability of the ministry, after all the Conservative cuts, to enforce the bill, but it's supported by all three parties, yet this bill has been time-allocated by the government House leader, who just happens also to be the Minister of the Environment.

I don't understand why the government is time-allocating cutting off debate on a bill that all three parties agree with and are prepared to pass. Maybe it's because the government really didn't want to have lengthy debate about the ability of the government to actually enforce and implement this legislation. I think that may be the case. That's probably why it's not going to committee. At any rate, I support the legislation. I hope it can be enforced.

The Acting Speaker (Ms Marilyn Churley): Pursuant to the order of the House dated December 15, 1998, I am now required to put the question.

Mr Galt has moved third reading of Bill 82.

Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

FUEL AND GASOLINE
TAX AMENDMENT ACT, 1998

LOI DE 1998 MODIFIANT
LA LOI DE LA TAXE
SUR LES CARBURANTS
ET LA LOI DE LA TAXE
SUR L'ESSENCE

Resuming the adjourned debate on the motion for third reading of Bill 74, An Act to amend the Fuel Tax Act and the Gasoline Tax Act / Projet de loi 74, Loi modifiant la

Loi de la taxe sur les carburants et la Loi de la taxe sur l'essence.

The Acting Speaker (Ms Marilyn Churley): Further debate? I believe that last time Ms Lankin was on the floor, so that would mean anybody who wants to debate.

Mr Michael A. Brown (Algoma-Manitoulin): I've been waiting anxiously to debate the merits of the Fuel Tax Act and here we are on third reading. I think people should understand that this act in many ways might be seen by some to be a housekeeping measure. What it does is extend the government's ability to assess taxes on fuel retroactively from three to four years and does some other rather innocuous things, although I'm sure if you're having your particular assessment going back another year, you may not see it as innocuous. It deals with a number of other issues which relate to, as we know, the colouring of fuel, which is done in the agricultural community so that they can use their implements, and in other industries to differentiate the fuel from what's used on the road and exempt it from road tax.

1640

What is disturbing is that we would have thought, or at least I would have thought, that when we were dealing with this particular bill, a bill about tax — and this just affects the efficiency of government in collecting that tax sooner, getting the money to the treasury faster, making sure that wholesalers and retailers have to get that money into the government treasury faster. Of course, that affects their cash flow negatively but the government's cash flow positively.

I would have though when we were talking about this particular issue, talking about fuel, we might have heard something about the retail price of gas. We might have wondered aloud why the government in northern Ontario, for example, reinstated a \$37 licence fee for driving your vehicle. That fee had not existed for a long time. The reason was that if you are in Wawa or Manitouwadge or Hornepayne or Hearst or you're on Manitoulin Island, the price of gasoline is far in excess, on average — it's always way in excess, but it can be as much as 15 to 20 cents more a litre in these places than it is in our more urbanized southern communities.

At the same time, you would know that the fuel to operate in the great distances of northern Ontario, for example, is more necessary. We can't get on the TTC. If you want to go to work, you need a vehicle. Often your workplace is quite a distance from where you live. It is a fact of life, living in a part of the province where roughly 9% of the people live on about 90% of the land mass. It is a reality of our life, and it is a reality that retail gas prices are far in excess of what they are in southern Ontario.

So governments a long time ago decided that one way we could go about easing the burden on northern Ontario people, making our economy work better, was to at least deal with the licensing issue, and that was first to reduce and then eliminate the registration costs of vehicles. It had nothing to do with what we spend on roads. It had nothing to do with anything other than to deal with this problem of terribly high market prices for petroleum.

This government came along and one of the first things they did was to say, I guess, there isn't a problem with the extraordinarily high prices of gasoline in northern Ontario. It doesn't exist, it's not a problem, they seem to believe, because they took that \$37 and placed it on all northern vehicles. You've got to pay that every year. That was in place to offset for the people of northern Ontario the increased costs of petroleum products.

I don't know who could believe, if you were living in Hornepayne or Hearst or Chapleau, that the price in Toronto could be 15% or 20% less. You just have to look. Many of you over on the other side occasionally come to northern Ontario and drive through, and you realize that the prices for that particular product are far in excess of what people in the markets of southern Ontario pay. Therefore we decided, as the government of Ontario — I'm not sure if it was in the Davis years or the Robarts years — that there would be a reduction, and consequent governments continually reduced it until finally I believe my friends here in the New Democratic Party reduced it to zero.

The point is that all governments, until this government, realized there was a problem with the price of gasoline in northern Ontario, apart from all the crazy fluctuations we see anyway. That's the reason the \$37 registration fee was not charged until this government came to power, and they reinstated it. And for what? They said it was to help pay for capital expenditures on roads. They just totally missed the point. The reason that licensing fees had been reduced and reduced and then had finally come to zero was that the price of gasoline for northern people had become —

Hon Al Palladini (Minister of Economic Development, Trade and Tourism): They betrayed the northern people. They got the licence —

The Acting Speaker: Minister, come to order.

Mr Gilles Pouliot (Lake Nipigon): You increased it from zero to \$37. Don't deny it.

The Acting Speaker: Member for Lake Nipigon. Order, please.

Mr Michael Brown: The former Minister of Transportation knows —

Interjections.

Mr Pouliot: Just the facts, Minister, just the facts.

The Acting Speaker: Just a moment. Order, member for Lake Nipigon, Minister.

Mr Pouliot: Madam Speaker, the member for Lake Nipigon is putting out 37 bucks per plate. I'm going broke, madam. I'm defending my territory. I'm going broke.

Mr Michael Brown: I see we have a little bit of controversy, but the minister obviously doesn't understand. The relationship between what needs to be done on our roads and the price of licence fees was never an issue. The issue of the cost of registration was an issue of the equalization of gasoline prices.

The fact that when this government came to power and since this government came to power the maintenance of northern roads has become — how can I say this kindly? It isn't kindly, because the maintenance, especially winter maintenance of roads, has dropped off significantly. You

can talk to any of my constituents and they would agree with that statement wholeheartedly.

We do have a problem with capital construction on roads. We are making a little bit of progress these days, but we need to make much more. But the issue is the price of gasoline and fuel in northern Ontario. The subsidy that we were getting under former governments is now being eliminated, so that when I go in to see the good people at Island Ford in Gore Bay, who issue my tags every year, I now pay \$37. So do all my constituents.

This is a government that had promised not to increase any taxes. I remember that. A fee was referred to by Premier Harris, when he was in opposition, as a tax. Of course, that's what it is. So we have seen the taxes increase across this province. Someone had a number, which I don't believe is quite accurate, of about 400 times on fees across the province, on anything that moves, anything that we can find.

Mr Pouliot: On a point of order, Madam Speaker, with a great deal of reluctance: We know that the people of the north are getting ripped off big time by this government. We now pay for the plate —

The Acting Speaker: What's your point of order?

Mr Pouliot: I want people to hear this. With respect, would you check if we have a quorum, Madam?

The Acting Speaker: Clerk, could you check and see if we have a quorum, please?

Clerk at the Table (Ms Lisa Freedman): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

1650

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: Member for Algoma-Manitoulin.

Mr Michael Brown: I'm just delighted to see more friends in here to listen to this, my observations in regard to what's been happening in northern Ontario with the price of gasoline and the offsetting cost of the registration licensing fee that has been imposed by this government because they seem to believe that the price of gasoline, on average, is the same in southern Ontario as it is in northern Ontario, which I think isn't hard to check. Last time I was in Wawa, the prices at the pump there were at least 12 to 13 cents above what they were in Toronto on the very same day. The \$37 purchases a tank full of gas perhaps — I don't know — but it still does help northern people out in their day-to-day lives as they try to cope with challenges in transportation that members from Etobicoke maybe have great difficulty comprehending.

We don't have the bus services in Hornepayne or in Gore Bay or in Manitowaning or in Wikwemikong. They don't exist. In order for you, as a northerner, to get to work, to get to see the doctor, to be able to make the various appointments that one has to make in his or her life, you have to use your vehicle. Generally speaking, and I know the member for Lake Nipigon would agree, you need a vehicle that is a little more substantial than what you might have in southern Ontario, because the condi-

tions of the roads are very difficult, particularly in the wintertime and especially in the spring. When you get into that period in March and April when the frost starts to come out of the ground, you often would believe you are on a roller coaster. You cannot, obviously, operate your vehicle very quickly. Potholes are the least of your worries; it's usually the mountains that masquerade as bumps that are the problem as you come down these highways.

I was in Killarney maybe five or six years ago, before that final little stretch of highway into Killarney that's so important to those folks was finished. To drive that road into the fine hamlet of Killarney, you would be lucky to be driving 40 or 50 kilometres an hour. That very same road was required by that community to take people 60 to 70 miles or 100 to 120 kilometres into school each day. Young people going to Sudbury for their high school studies travelled that road on a daily basis. The ambulance service, if it was required, had to travel that road. Frankly, it is one of the better things that we've improved that road. Nevertheless, in the spring of the year, all northern highways — and when I say all, I mean all — have some difficulty with the frost heaves we get.

For the government to come along and say to northerners, "Well, your challenges in maintaining your vehicles, your challenge that you must usually buy a larger car or truck than you might have to in southern Ontario just to meet the daily needs of getting to work, getting the groceries, seeing the doctor, getting your kids to school" — all those sorts of things increase the cost to northern people tremendously.

I know there are some people over on the government side that would just like us all to move to Toronto and that would kind of solve their problem. But we like where we live and we contribute to this province a great deal. We make sure that the resources that we need are available to us. There are as many people mining down on Bay Street as there are in northern Ontario. The head offices of these companies employ just as many people as they do in northern Ontario. The forest companies that provide the paper, the lumber, the fine products we receive employ thousands upon thousands of people, and I would think the members in the south would have some recognition of the higher costs they face on a daily basis.

I'm just trying to make the point that for this government to decide that northerners should pay more money for their gasoline by way of adding on the \$37 vehicle registration fee, a fee imposed by this government to tell northerners they weren't paying enough for gasoline — because that's what it was. The \$37 was a subsidy to northerners to help equalize the price of gasoline for people in Ontario.

To be debating a fuel bill that doesn't take any recognition of the fact that there are parts of this province where you cannot use public transportation, where you cannot walk to where you need to get to because of the distances and the climate — there should be, for northern people, some sort of recognition by the provincial government that the costs are not the same. You haven't done it. As a matter of fact, you've gone in the opposite direc-

tion. I ask, Madam Speaker, does that make any sense to you? I wouldn't think so.

As we talk about this bill, it would suggest to me that the government in its wisdom should have been placing an amendment to this particular piece of legislation to ensure that there was fair recognition of the people I represent on Manitoulin Island, in Espanola, Whitefish Falls, Killarney, Elliot Lake, Spanish, Serpent River, Wikwemikong and West Bay, that they should be treated in a reasonable fashion that recognizes the increased costs of operating vehicles in northern Ontario and the increased price, on average, of gasoline.

As I conclude my remarks, I would just like to ask the government if they would reconsider and take some measures that would provide some relief to northern Ontario people, who are paying far more than their fair share for fuel and gasoline prices.

With that, and that appeal, I will take my seat.

The Acting Speaker: Questions and comments?

Mr Pouliot: I'm somewhat appalled and, yes, I am shocked. We're talking about a very important opportunity that seems to pass the government by. There is no denying the facts. Just the facts, please. When we were the government, recognizing the higher cost of gasoline in northern Ontario, we sought to compensate by eliminating the fee that motor vehicle owners have to pay for a licence plate. We readily recognized that northerners give at the pump.

Mr Michael Brown: Oh, do they ever.

Mr Pouliot: Do they ever, to the tune of between 10 and 15 cents more per litre. That's a lot. Ironically, if someone goes to the Liquor Control Board of Ontario and buys, let's say, a case of beer — they sell them in 12 bottles, is it, or 24? — they pay the same price in Manitouwadge, in Savant Lake or where the road system ends in Ontario, in Pickle Lake, as they do in downtown Toronto, and gas is much more important than alcohol. Why can't we pay the same price for gasoline? It's an essential service. We need it to go to work, we travel longer distances for medical appointments, to go shopping, to warm up the car, because it's a lot colder up north. This government says, "No, you're not paying enough," and they come and whack us good with an additional \$37 per plate. I think they acted deliberately and systematically, acted with vengeance, and we poor northerners are left holding the bag and paying more.

1700

Mr Mario Sergio (Yorkview): I wish to compliment the member for Algoma-Manitoulin on his presentation.

You have to say that this is affecting the north more than any other area. Who else knows this better than the members from the north who represent the various northern communities, especially when they are affected in such a very adverse manner? It's a very important matter to the northern people. They rely very heavily not only on the delivery but on the quality of the gas itself.

Price of course impinges very much on the quality of life of our northern members. It is a fact of life that there

are many communities, especially in northern Ontario, that are isolated and the only mode of transportation is by car.

There are many other facilities, for example, recreational facilities, where gasoline is used on a daily basis and it's an integral part of their daily businesses. It's very important to our farming community, because on a daily basis that is the only thing they use to do their daily work on the farms.

As the member for Algoma-Manitoulin was saying, to add \$37 in registration fees for the north is quite inappropriate given the necessity, as I said before and the member did very well to expose in the House, of the people in the north.

Mr Alex Cullen (Ottawa West): I am delighted to follow on in the discussion on Bill 74. It's a technical bill and deals with something that's very important to the people in northern Ontario.

Just as a small segue, I can recall some 25 years ago actually running out of gas near Wawa. I think every Canadian should go through that experience. It was lucky that it was in the summertime, but let me tell you, it's hard to find gas late at night in the north when you run out of gas, and the nights are not warm even at that time of the year.

What it brought home to me was the fact that in the north, because of the sparseness of population and the tremendous miles that separate one community from another community, we don't realize in the south just how important it is for that community up there. Quite frankly, it does deserve special attention.

I have to stand here as someone who comes from Ottawa-Carleton and who has to face before every long weekend the tremendous gyration in prices as the gas industry tries to take advantage of the fact that people who may be contemplating long-distance drives to visit members of their families might have to tank up with gas. None of us sees the point of it. Obviously, it's price gouging and it's something that we think is reprehensible.

We've had from time to time in Ottawa, and I'm sure it happens in Toronto and Hamilton and other urban centres, investigations into this whole notion of price gouging. People say it's simply the market responding, but at the back end of the pipe where all this gasoline is being generated, we know there aren't these variations in pricing.

We have to look at this a second time, and I look forward to the opportunity to do so.

Mr E.J. Douglas Rollins (Quinte): This gives me an opportunity to once again agree with some of the people on the other side of the House that the price of gasoline probably should be the same across Ontario. I've been a supporter of that as an independent business person selling gasoline. I think the member for Nipigon pointed out that a case of beer is the same price, and there's not much reason that a litre of petroleum product shouldn't be the same price across the province. I've been a strong supporter of that. However, my wishes and the wishes of everybody in the province don't always happen to be the same.

I also want to mention in Bill 71 the temperature variation, which is something that is a real rip-off both to

the motoring public and to the people who buy and sell gasoline. Some arbitrary figure of 15 degrees Celsius was established as the temperature that all product should be traded at. You realize that the temperature of the ground in Ontario, or basically in Canada, hardly ever reaches 15 degrees. It may in California and it may in some other parts of the world, but in Ontario, and definitely in northern Ontario, it never reaches that. I would like to see that temperature brought down closer to 6 degrees Celsius, where it would be more proper and it would be less onerous for all of us.

I find it quite amusing that every once in a while, sitting across from each other, we can agree with one another, and on this, I agree with some of the things.

The Acting Speaker: The member for Algoma-Manitoulin.

Mr Michael Brown: I appreciate the comments from the members for Lake Nipigon, Ottawa-Carleton, Quinte, and my good friend from Yorkview.

Mr Cullen: Ottawa West.

Mr Michael Brown: Sorry, Ottawa West.

I particularly appreciate the comments from the member for Quinte because I think he makes some valid suggestions and has some good background in this area and knows of what he speaks. Perhaps at some point the government might take some of his suggestions and implement them. I think I was on my feet some time ago in the House agreeing with Mr Rollins about some other issues with regard to gas prices. It's unfortunate that the government has not chosen to listen to the wisdom of members who are very familiar with the issue.

I want to say, though, that I've had the great experience of visiting Chapleau and other places in that corridor along Highway 129, visiting Sultan and going across what they call the Sultan road to 144. One of the things that the people in Chapleau and Sultan are particularly interested in is having that road, which is now maintained by the E.B. Eddy forest company, turned into a provincial road, because it would cut at least an hour off their time to a major centre, Sudbury, where they need to go for various business appointments and medical appointments etc.

There are lots of transportation needs in northern Ontario that are not being met today. To suggest for one moment that northerners should be paying more for licence fees to get those is a ridiculous sentiment.

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The Acting Speaker: Further debate?

M. Pouliot : Je vous remercie, madame la Présidente. Bonne fin d'après-midi. Je sais que vous serez à votre poste jusqu'à minuit ce soir, donc non seulement bonne fin d'après-midi mais aussi bonne soirée et bonne fin de soirée. Je sais que vous êtes ici dans votre capacité aujourd'hui pour écouter un débat des plus importants surtout concernant les motoristes, ces hommes, ces femmes, ces gens de commerce, ces gens qui donnent les services au quotidien, aux gens d'une partie spéciale de la province, le nord de l'Ontario.

This is a very timely opportunity for the government of Ontario to do something that should have been corrected, I

admit, years and years ago, the price of gasoline, but in lieu of seizing this opportunity, the government would wish to talk, and we're still talking about gasoline: coloured fuel in the fuel tank of a motor vehicle; date for interjurisdictional carrier returns, whatever that means — do you know what it means? You are an educated person, Speaker. I've read about your curriculum vitae. I don't understand, but what I do understand is that it's minor. If I may be so bold, it doesn't matter a heck of a lot to the people who drive cars, four by fours, people who are hauling pulp, people who drive half-tons, people who use snow machines as a way to get from point A to point B.

Mr Gilles Bisson (Cochrane South): Half-tons? Mais oui. That's the way I do it.

Mr Pouliot: I know my good colleague who resides in Timmins is busy reading his notes now. You won't hear him talk about the bill for the next 15 or 17 minutes, because he's taking copious notes as to what's being said here.

I have the commodities market, the futures market. It was given to me by a friend outside here. He said: "Mr Poulet, Giles, I know you will be in the House today because you've been waiting all day to convey to the government what should be done. You're not there just to bitch, bitch, criticize. You have an alternative."

People are concerned in Manitouwadge. I represent a riding that's 1,000 miles long. We know about distances. I leave home one way and motor more than 800 kilometres to Pickle Lake — that's where the road system ends in the province — and then the remaining 400 miles which constitute the geographical Lake Nipigon, all the way to Fort Severn. Fort Severn is on the shore of Hudson Bay — 20 reserves, our first Canadians: 10 south, where they have a road system, and of course therefore 10 north. The price of a litre of gasoline, transportation included, surpasses, exceeds, is more than six bucks a gallon.

Mr John Gerretsen (Kingston and The Islands): No.

Mr Pouliot: It is indeed. I tell you so. The people are being gouged at the pump.

While this is taking place, my friend Harry hands me the paper and says, "I want you to read this." It's the Globe and Mail, a Toronto paper, today's, December 16. It says, on the commodities page, "Mexico, Saudi Arabia and Venezuela plan to meet in Madrid tomorrow to discuss oil prices, which are hovering near 12-year lows despite repeated attempts to boost them by cutting daily output."

Now, if this is not a cartel, if this is not a monopoly, I ask Mr Palladini, my friend and colleague, what is? Those people can fix things, I can assure you, but we little people don't know, we don't have the clout, we don't have the tools, the ammunition to tell them to stop gouging people, especially where we live. "Analysts say 1.5 million barrels of oil daily must be taken off the market to begin having an effect on prices."

You know who could match them? You know who could show them their power, who has the jurisdictional capacity, who has the majority muscle? The government.

The government passes legislation in this province. That's the reason we're here. At present, the Progressive Conservative Party of Ontario have been asked to form the government by the Lieutenant Governor, and rightly so, because they have achieved more political favour, success; they have more seats than both other parties combined, so they have a majority government. This is a jurisdiction of 11 million people. They have a lot of clout. They could be tough if they wanted.

It would mean turning their backs on pals, on friends. It would mean in this case that friends are not someone you treat a little better. Maybe you will not be seen together at the club any more, but you will do what's right for Miss Jones and Harry Smith who reside in our special part of Ontario, those proud women and proud men who supply southern Ontario with resources so they can enjoy a kind of living which is superior in many ways.

Where I live, where I've resided for 33 years, in the Cave of the Great Spirit, this great community, very proud indeed, of Manitouwadge, nestled in the Canadian Shield — you know the riding of Lake Nipigon, between Lake Superior and Lake Nipigon and Hudson Bay, overshadowed by the bay. It's the land of opportunities, resource-based indeed. We're willing to make sacrifices. We know we're going to take a hit. It's the place we chose to live. We want to make a contribution.

You have 23,000 kilometres of highways in the province of Ontario. Ninety percent of the land mass is up north, with about 8% of the population; we understand. We export our resources. We pay, we pay all the time, and we don't say much. Then we export our sons, our daughters, once they get to post-grade 12 because they wish to go to college or university. As a grand finale, we ask ourselves, should we export ourselves? Because we cannot afford to pay for those prices. The prices are very low worldwide. Once we reach the pump, the gouging continues. This government could reduce the taxes. In lieu of that, what is it they do? They appoint four or five of the backbenchers and tell them to go ahead — they call themselves the gas-busters.

They have as much clout as Mickey Mouse. I know them personally — they're good people — and I object to the ridicule they've subjected themselves to and that the government has subjected them to. Do you honestly think that anyone can take those gas-busters seriously? Do you believe that the merger between Mobil and Exxon had anything to do with the gas-busters? They couldn't even scare a five-year-old child on Halloween night. They parade themselves — I would think the government would buy them a leather jacket, at least a special badge, and say, "My name is Doug," and a big emblem: "The Gas-Busters." They go like poor merchants, sometimes accompanied by the family pet, that poor dog as a companion of misery, and they peddle their wares from gas station to gas station. Dickens would have written about that sorry lot. They come back and they're tired, they're afraid, because they've been told to go fly a kite and they have no power.

But the Premier and his associates, the Minister of Finance and the members in cabinet, should say in

conscience, "We, the executive council, through the Board of Infernal" — I mean Internal — "Economy, have decided it's OK." Yesterday and today — you've been reading the news, Madam Speaker; you've been here — they've decided to pay if a citizen gets followed by a private eye, a private investigation. If the state comes down and says, "We'll follow you home, we will know your whereabouts, we will scrutinize your bank accounts, your former employers. We want to know everything about you, where you've been, where you are and where you're going," they will pay; the taxpayers pay. The people in Manitouwadge are saying, "I ain't gonna pay for this, no way." But you pay through your taxes. And then you will pay the lawyers' fees, \$130,000.

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But when it comes to a medical appointment in Thunder Bay or in Sault Ste Marie: "We're not going to support you. You're going to pay 10 to 15 cents a gallon more. Every time you give at the pump, we'll penalize you. We will be deliberate; we will be systematic. You know your sticker on your licence plate that gives you the right to drive around? You didn't pay before. Well, we're going to whack you good. It's going to cost you \$37." So your price of gas is higher, and on top of it they've become insatiable. I believe we're being targeted, because now you pay another \$37.

All this while the alleged affair is being subsidized by the taxpayer. Is this becoming the world upside down, or what? What is going on here? On the one hand you can find \$600,000, a very large sum indeed, of our tax dollars, and when we taxpayers turn around and say, "We've paid the \$600,000. Give us a copy of the invoice, who did what to get the money," the government says: "You pay the \$600,000, but we do not issue, in our store, at our shop, in our boutique, any receipts. We can rip you off." The people at the Royal Canadian Legion all across this province, the good citizens, are saying, "Don't pay." Like heck are you going to pay \$600,000. But medical appointments for members of the family, people going to post-secondary school, people trying to get home for Christmas in our resource-based community, do they get any breaks at all? No. They pay. It's painful, because we could use that money to do something else.

I commend our good citizens, our friends and colleagues, because it's not easy, when you have no credibility, to be a gas-buster. You must feel that you're a member from a special brigade and you're never to return. Well, they did, but they did not accomplish a hell of a lot. I had believed — I guess I was weak — maybe this time. You know what Mike Harris could have done? In terms of the 13 to 14 cents a litre we pay in taxes, why didn't he use his power with the Treasurer and just cut the taxes? This will reduce the price at the pump. It's easy. You can't on the one hand say, "I'm against them," and yet you profit. You see, in this winner-take-all your hand is already on the table and you're raking in the chips. You can't have it eight different ways. How can you say, "I, the Premier of Ontario, really believe that something should be done about gas prices," when you have your

hand on the nozzle? You're collecting 13 cents every time a litre gets pumped into a tank.

If you want to do something, it's very simple: You reduce the provincial take, eliminate it. You hear me, my man? You the man, Al. That's M. Palladini, former Minister of Transportation, a most honourable person. He told them, I'm sure, that something had to be done. He knows the business inside out. He was a car dealer, new and used cars, and then he entered politics. That makes him very credible when it comes time to talk about — no, he's not a lawyer. You don't have to be a lawyer to know about the intricacies of this bill. He knows it's wrong. I see him sitting across and I thank him for his presence. The honourable member is shaking his head. I can see the pain and I share that sorrow. The thing is to convince other members of cabinet and the Premier and the Treasurer that you have the power, you hold the lever: Just cut the taxes.

I am asking for unanimous consent from all the members of the House that effective January 1, if you mean what you say, the fuel tax for motorists in Ontario shall be eliminated so we can save some 13 cents every time we pump a litre.

Will the government listen? Will those foot soldiers, whose destiny is to carry the spears and to vote for the government, not much else, go to cabinet and say, "The people in my constituency have asked me to tell you...." Will they gather the courage? Maybe they can do it together: "If you go, I'll go. We'll go together," because individually it's very difficult and it can be intimidating. I recognize that. I'm cognizant of the way that certain political entities enforce, if you wish, the way they make things happen. You need not have a very vivid imagination. Let the Taxfighter cut the tax by 13 cents a litre. We'll put money into our jeans and we'll use that money for all kinds of things. We might be able to put a little bit into — what is it called?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): The stock market. That's what it's called.

Mr Pouliot: No, RRSPs, registered pension plans. We might afford a few luxuries. We might bridge the gap between the have-nots up north and those in southern Ontario. We're quite appreciative. For decades we've been sending the best of the north, our resources, to the benefit of, yes, we up north, but the people down south have benefited so much. Don't you think it's time we have a little reciprocity, that we become more compatible? We endure. We can't do without a motor vehicle. We have to warm up the car. It costs more: Now the fuel costs that much more, and now the licence plate on top.

Where will it end? Where will we find the resourcefulness, the fortitude to draw from within and to say, "I guess they don't mean bad"? They had the opportunity. This bill is almost the closest thing to a non-event. The opportunity is right there, the 13 cents. Show me the money. You the man, Mike. Do it, 13 cents a litre. I can do something with this. The people of the north will

rejoice and they will congratulate you with all the sincerity at their command. They will say, "Thank you very much, government, for sending me some of the money that I work so hard to get."

Let's not talk about bagatelle and peccadilloes, about the colour of fuel in a distant jurisdiction, about measures that are arbitrary at best. It is not consequential. It matters not. Again, go back and add one more line: Remove the tax. Will you have the courage to do that, Premier? Will you do what's right for the people, especially the people of our special part of Ontario, who have been so kind and generous through the decades and have made Ontario what it is? Before the auto pact, most of the wealth came from up north. Don't you think it's time to pay back? I know you will respond in short order and I'm confident that you will eliminate the provincial tax we pay for every litre of gasoline we purchase. Premier, I plead with you and I anxiously await your response on behalf of our constituents.

The Acting Speaker: Questions and comments?

Mr Rollins: I listened with great attention to the member for Lake Nipigon's request to think about removing the tax, but there was one little problem. We were prepared as elected members to come in here and ask for that tax back and cut it off, but there was one little thing called the \$11-billion deficit. By golly, to give that off again, we'd go down the road a little bit deeper, and we promised the people of Ontario to see if we couldn't balance the budget. If we were to give that tax back, we'd have taken the same steps as you when you were in government: down that road of going further and further into debt.

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The tax is certainly a good portion of it. We feel, as the province of Ontario, that if we could get some of the federal money back as far as taxes are concerned that the federal government collects, then we put into the road system — we as a government have put a lot of those tax dollars back into the roads. We haven't fixed all the potholes in Ontario because it'll take a little while to fix some of those potholes on some of those roads. On the other hand, we'll eventually get there and we'll have those holes filled, and then they won't have to buy as big a vehicle to worry about that kind of control.

The temperature adjustment: As far as the province of Ontario is concerned, we should continually stay on that road to try to bring that temperature, the mean that they're using of 15 degrees Celsius, which for most people is around 60-odd degrees of the old method, for the guys with the grey hair who understand that temperature better than the other one. If we were to bring it down to the 6 degrees, we're talking in the 42- or 44-degree range of Fahrenheit, it would be a lot fairer for both the buyer and the seller and it would be easier for everybody.

The Acting Speaker: Questions and comments? The member for — sorry —

Mr Bruce Crozier (Essex South): Essex South. I don't know why that's so hard to remember, Speaker. The Speakers have trouble with that. It's the most southerly

riding in the province and in the country, for that matter, what with Pelee Island. You talk about supply. Pelee Island is almost like an isolated community, like many in the north. What the Pelee Islanders say is similar to what the member for Lake Nipigon has said: They don't choose to live there, they're chosen. That's maybe something you could use in the north.

When we're speaking of gasoline taxes, and I think it's correct of the member for Lake Nipigon to mention it, because even though this bill that's being discussed tonight was a technical one, I think he went to the heart of the matter, that is, we are the second-highest gasoline-taxed province in this great Dominion of Canada.

A lot has been said since September 1997. Mike Harris said he was tired of us being gouged and he was going to do something about it. He hasn't done a darn thing. If he really wants to do something about it, he can, because we've debated this to no end in this Legislature with regard to gasoline items. If it can be proven that gasoline companies are in collusion, that's one matter, but if you can't prove that they're in collusion, ie, they are not, and Mike Harris thinks we're being gouged, then he has the alternative, because it's within provincial jurisdiction to control gasoline prices. He can do that through a reduction in tax or he can use the clout that my friend from Lake Nipigon alluded to, that is, tell those big bullies, the gasoline companies, to treat us better.

Mr Bisson: The member for Nipigon is always bang on the money and entertaining, to say the least. I refuse to believe that the member for Nipigon was just given the commodities page this morning. I've seen the member for Nipigon with the commodities page before, I must say, and I know the member for Nipigon knows what he is talking about when he talks about what's found in the financial section of the *Globe and Mail*.

To the point: He talked about a point that I thought was quite interesting, and that is, when the government members went out by way of this special committee set up by Mike Harris, the gas-busters, as the member for Nipigon pointed out, I remember distinctly they were making a big to-do here around Toronto, all worried about the price of gas in Toronto and some of the communities closer to the city of Toronto.

I want to know from the member for Lake Nipigon, did they go up to Fort Severn? Were they up there, where you're paying \$2 a litre for gas? Did the gas-busters take the time to travel to some of our First Nations communities, where those communities are off the main highway and actually have to pay exorbitant prices for gas? As a matter of fact I was in Kashechewan, Fort Albany and Attawapiskat not more than about three or four weeks ago, and a litre of gas up in those communities is far in excess of anything that people would see as reasonable when it comes to the price of gas. I wonder, member for Lake Nipigon, if the gas-busters have been up your way.

More to the point, I would agree that this government — I remember Mike Harris in the last election making a big to-do when it came to the price of gas, but we're

finding out that when it comes to to-doing something, Mr Harris is not too, too, too good about getting it done.

The Acting Speaker: The member for Lake Nipigon can sum up.

Mr Pouliot: I wish to particularly thank the members for Quinte, Essex South and Cochrane South for their comments. The member for Cochrane South spoke last by rotation and asked a question. He should have directed the question to the people whose itinerary will attest to whether they ever were at one time in northern Ontario. There have been some sightings. Rumour has it that some of them could have made it past Barrie. But for some in downtown Toronto, once they get to Steeles they reach in their pockets and they take another token because that's the accepted barter: "Will pay to bearer." You just hop off the bus, so they're already up north. In fact, once they get past Barrie, if they don't travel by themselves, someone is bound to ask, "Are we there yet?"

Well, we're closer to Miami, Florida, standing here in the Legislative Assembly of Ontario than I am to some parts of the riding. I live 850 miles from here and I'm closer to Toronto than some parts of our riding. When we talk about mileage — you know, you have the opportunity, but the opportunity will pass. Bonaparte, the Corsican, Napoleon, said that if it does pass, you seize it. If you want to please people, if you want to get close, listen to what they're saying. First you remove the \$37 per plate — if I were the government, I would have done it. We did it. In terms of gas, I would say that I don't wish to fight with anyone when I can take the revenues elsewhere.

I say to the people up north, greetings, and let's keep fighting, because we can use every penny that we save. Heaven knows we need it. All of Ontario will benefit by enacting —

The Acting Speaker: Thank you. Further debate?

Mr Gerretsen: It's always a very difficult act to follow the member for Lake Nipigon.

Hon Mr Villeneuve: Are you calling him an act?

Mr Gerretsen: No, I'm not calling him an act. He is one gentleman I always come into the House to listen to because I think he speaks from the heart, he knows about what he's talking about, and if he is entertaining at the same time, I think it just livens up the debate. He truly knows what he's talking about, but it does make it difficult for the next speaker to have to get up and maybe bring us back to not only southern Ontario — and I have a great respect for northern Ontario. I have been through that part on numerous occasions and I realize that because of the distances one has to travel to get from one place to another, particularly if you represent one of those ridings up north, it is very difficult and there's no reason why the gas prices should be as high as they are there.

I want to say a couple of other things as well. Let me first of all deal with the gas-busters. I think the idea of the Premier nominating three members from within his own caucus and setting up the gas-busting committee was a good idea. I've often criticized this government for not having good ideas, but that was a good idea. To send three influential members from this House to fight the oil

industry in Alberta, in Ontario, to do something constructive about the gasoline crisis was a positive move.

As a matter of fact, it was a much better move than the one they did with the crime-busters. You may recall the crime-busters' annual report that we got this year. I remember the member for Etobicoke-Humber saw that report as well. When we saw that report, just the cover of the report, I didn't know whether this was something serious or whether it was a spoof. Do you remember the three crime busters, member for Etobicoke-Humber, all standing there in trench coats that were, to be charitable, two sizes too small? They were standing there just ready to fight crime.

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We've often wondered what has happened to them since then. As a matter of fact, one of the crime-busters, you may recall, Madam Speaker, was demoted when he made a rather insensitive statement as to what happens on the day the Santa Claus parade takes place here in Toronto. It was the kind of statement that even when I read it in Kingston the following morning, I didn't know what to make of it. We think about a lot of things when we think about the Santa Claus parade, but we never think about the kind of thing that this member apparently says may or may not have happened here. In any event, he was removed from there and I don't think we've ever heard anything more about the crime-busters.

You may recall — when was it, about four or five weekends ago? — when one of the gas-busters got up in this House and said he was going to do something and, miraculously, when I gassed up at my local gas station in Kingston two days later, I couldn't believe it. The price of gas was actually 44.5 cents when it had been around 49 or 50 cents a litre. For a moment — no, for longer than a moment — I thought, my gosh, when the gas-buster, the member for Quinte, got up in the House and said he was going to do something about it, that he wasn't going to take it any more from the wicked gasoline companies to always push the price up just before a long weekend, he succeeded.

I made a couple of telephone calls then. I called the public relations department of the oil companies. I asked the lady I spoke to very directly: "As you probably know, the government of Ontario has appointed three gas-busters from among the government backbenchers. Did the fact that the price of gasoline in Kingston dropped by a nickel just before that long weekend have anything to do with the action of the gas-busters?" The first thing she said to me was she didn't realize that the gas-busters had been reported, and she put me on hold for a while looking for someone else, I guess, who actually had the answer to that question. She came back and said she really couldn't answer that but she would get back to me, and she did get back to me.

About two days later she got back to me and said, "In all honesty and all seriousness, sir," and she gave me a whole slate of reasons why the price of gas actually went down for a while just before a long weekend. But there was nothing that she could uncover from within her

corporate structure, that she was able to find, that indicated the gas-busters actually influenced it. I was kind of sorry to hear that at that point in time and we cut off our conversation.

I really believe the members of this House should be held in high regard by the general public out there, and certainly the gas-busters should be held in high regard as well. I was hoping that actually three government backbenchers would have that kind of influence whereby the oil companies would just cringe, and the moment they made a pronouncement they would actually lower the price of gasoline, but it hasn't happened.

I think the member for Quinte is trying to do the best that he knows how. At least they haven't issued an annual report yet standing in trench coats that are two sizes too small, for which I think the gas-busters ought to be complimented. They've had the good sense not to do that. But I hope something can be done about this problem.

Let me just say one other thing. As you know, we only have two more days left in this House before we all adjourn for Christmas, and maybe we won't be back here for quite some time after that. I find it kind of interesting that on third reading we have spent almost six hours debating this bill that I think everyone more or less agrees to. I'm just wondering why the government House leader, having only tonight's five and a half hours, tomorrow night's five and a half hours and about two and a half hours tomorrow afternoon, hasn't called some of the other bills that are ready for third reading.

I know in my community there's quite an interest with respect to the Condominium Act. I think people from all sides realize that changes to the Condominium Act are required. The bill is ready. It has gone to committee. It has come out of committee. The amendments have been inserted in the act. It's ready for debate. Why aren't we debating that?

Why aren't we debating the Courts of Justice Act? That is the act that basically establishes throughout Ontario the Unified Family Court system that has been operating in the city of Hamilton for I guess the last 20 years, and in four other places, including Kingston, for the last year or two. I must say, from all the people I have talked to who have been in the system, from the lawyers involved and from the court officials, and particularly from the people who need the system, who have family difficulties, family breakups etc, it is working really well.

I think it's very important that when you have those kinds of problems, they should all be dealt with in one court system, which of course isn't the case right now. Right now, for custody and support you have to go to one court, the old family court, and for divorce and property settlements you have to go to the higher court, the General Division. Why aren't we debating that? We all agree that it's a good step. The federal government has already appointed the 17 judges who will be operating in this Unified Family Court system, and we should be debating that in the last one and a half days left.

Why aren't we discussing third reading of the lobbyist bill? This is a piece of legislation, again, that basically we

all agree on. Mind you, we don't know why the government didn't bring this in much earlier. There is a certain concern on our side that perhaps a lot of the lobbying that has been going on over the last three years, particularly in the whole area of privatization and large American medical firms coming in etc, could have been much better controlled if the lobbyist bill had been in place two or three years ago. Why aren't we debating that?

Why aren't we debating the College of Social Workers? You may recall that the committee sat last night until midnight going through this bill on a clause-by-clause basis. I know there were some difficulties during those hearings where some of our staff members within the Ministry of Community and Social Services weren't allowed to answer some questions.

Mr James J. Bradley (St Catharines): Were they muzzled?

Mr Gerretsen: They were muzzled or they were told by the parliamentary assistant to the minister not to answer questions, but eventually that all got resolved. Why aren't we discussing that bill?

I don't understand it. We should be discussing those kinds of bills rather than this bill here, not that it's not an important issue, but it's not as important as some of the other issues that we have before us.

The other thing that I find very interesting is that the member for Quinte earlier today, in response to the member for Lake Nipigon, talked about how the reason the government couldn't do certain things was because of the \$11-billion annual debt. The message was that we're going to be out of an annual deficit situation fairly soon and we have the Harris government to thank for that.

I always say it's important to be out of a deficit situation, and what had been going on in Ontario, where we were running an annual deficit of \$10 billion a year, was totally unacceptable. But I also know that if that was really the government's main concern when it took office, it could have delayed its \$5-billion tax cut from which basically the people of higher salaries benefit, by simply not implementing any tax cut at all and allowing the annual deficit to drop down at a much quicker rate. If you hadn't imposed a \$5-billion tax cut on people, maybe we could have had a balanced budget before the federal government and before many of the other provincial governments throughout this country. We could have had that two years ago.

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It will be the legacy of this government, and they never want to talk about it and it's not even talked about in the general population all that much any more, that they in effect will have added another \$22 billion —

Mr Bradley: Surely you mean millions.

Mr Gerretsen: No, not millions; billions of dollars — during their mandate, over the last three and a half years, to the public debt of Ontario. When they took over, the public debt in this province was about \$90 billion, and now it's closer to \$115 billion. When you look at the annual interest on the public debt that the people of Ontario are paying, right now it's \$9.1 billion per year; in

1995 it was \$7.2 billion a year. There has been almost a \$2-billion increase. I know that people are saying, "How is that possible?" Even during that period of time, interest rates have fallen quite dramatically over the last three years.

It's interesting that we are spending more money in interest on the public debt in this province, even though interest rates are very low, than we are on social services. With all the hullabaloo we've had with the 22% cut in the social service payments and all the cutting and misery that this government has caused to an awful lot of people who are not well off in our society over the last three and a half years, this province is still spending less money on social services for the needy and the vulnerable in our society than on interest on the public debt. That is really something to comprehend. That could have been eased if you hadn't had your tax cut.

Do I like a tax cut? Sure, I like a tax cut but it doesn't make any sense. This was not the time for a tax cut. If you hadn't had a tax cut, we could have balanced the budget a lot earlier and we probably would be at a public debt right now of, let's say, \$100 billion rather than the \$115 billion we have.

There's another issue that is of great concern to this House. We talked about it earlier today. All our questions were on it. It dealt with the Al McLean matter. There has been an awful lot said about that, but I would just like to remind the people of Ontario that tonight there's going to be debate about that at 7:30, when a supply bill is called.

Mr Bisson: What do you want to bet it won't get called?

Mr Gerretsen: We got the assurances of the Deputy Premier today that he would be calling it at 7:30 and he would allow a free vote on the amendment that's about to be introduced which in effect is going to deduct from the supply bill, that pays all the bills for government services — we're going to have a motion that at least \$130,000 be deducted from that so the legal expenses and the private detective expenses of Mr McLean will not be paid.

I would just ask the people of Ontario who may be watching this — I know there are probably many other things on television this evening — to tune us in every now and then to see if we're actually debating that between 7:30 and 10:30, and see if it's coming to a vote at around 10:30 tonight. Then you will know where each one of the members stands on that particular issue. If it's not happening, even though we were told earlier today at the House leaders' meeting that it would be discussed tonight at around that time, I say to the government, why aren't you calling that particular bill? You said you were going to. We have to pass it before tomorrow night at midnight, when we adjourn. We have to pass it by that point in time. So it is better to do it today, and let everybody have a free vote on that issue, than to hold it over until tomorrow afternoon or tomorrow night.

I know you would like me to get back to this bill, but I thought it was important to just talk a little bit about some of the other things we could be doing here rather than

having a six-hour debate on third reading of this bill. This is a complicated bill and I agree — it's a bill that goes on for about 30 pages — that the technical merits of this bill are difficult to comprehend. You'd have to be in the fuel oil business, like the member for Quinte was for many years, because it talks about different dyes in fuel and about what happens to fuel when the colder temperatures set in and how gasoline or liquids under those circumstances expand and contract, depending upon the temperature. Perhaps our pages who are surrounding you right now in the chair have a better idea about what happens to fuel when it gets colder and warmer than a lot of the members here, but that is important. Am I missing something? No, I don't think so.

I want to leave a few minutes at this point in time for some questions and comments, because I'm looking forward to hearing from the member for Quinte exactly how he was able to get the price of gasoline down by a nickel when the gas-busters went into effect there about five or six weeks ago. I will now sit down and await the comments from the member for Quinte to basically give me an answer to that.

The Acting Speaker: Questions and comments?

Mr Pouliot: I thank the member for Kingston and The Islands, who always comes with a text which is meticulously prepared, chronologically palatable for everyone. You can really follow the address through a statement of events.

Madam Speaker, you would personally know — please bear with me — you were born and raised in that special part of Canada, Labrador, and where some of us reside, in north-central, northeastern and northwestern Ontario, we can draw an analogy, we can draw a parallel that is filled with validity. I know you came from far away, but today, as we gather in this assembly and remind ourselves of the importance of this essential product, what a difference it could mean, just imagine, if by virtue of goodwill from this government, Mike Harris were to turn to the north and wave and say: "Merry Christmas, northerners. I mean what I say. I come bearing gifts. I will eliminate the 13 cents per litre of gasoline."

What a courageous move, what an act of courage, and the people in unison, from all sides of the House, would be spontaneously on their feet applauding and saying, "Mr Premier, my respect for you, my respect for your high office has been significantly enhanced, and a Merry Christmas to you too." We still have nine days. It can be done.

The Acting Speaker: The member for Kingston and The Islands, you can wrap up.

Mr Gerretsen: I know it's close to 6 of the clock. I think it's best if we adjourn at this point in time, because nothing can possibly top the last comments from the member for Lake Nipigon.

The Acting Speaker: It being 6 of the clock, this House stands adjourned until 6:30 this evening.

The House adjourned at 1759.

Evening meeting reported in volume B.

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Second Session, 36th Parliament

Assemblée législative de l'Ontario

Deuxième session, 36^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Wednesday 16 December 1998

Mercredi 16 décembre 1998

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 16 December 1998

The House met at 1831.

ORDERS OF THE DAY

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): Mr Speaker, I seek unanimous consent to call the ninth order, third reading of Bill 74, the Fuel and Gasoline Tax Amendment Act.

The Acting Speaker (Mr Mario Sergio): I hear a no.

Hon Mr Sterling: That was the deal. We were to get that before 6 o'clock.

Interjections.

Mr Sean G. Conway (Renfrew North): On a point of order, Mr Speaker: I don't think the House wants to give the government House leader dyspepsia. My understanding was that at 6:30 we would begin with an hour on the social workers' bill. If that's not the case, then I think we should take a very brief adjournment —

Mrs Sandra Pupatello (Windsor-Sandwich): The staff is here, social workers.

Hon Mr Sterling: I don't care whether the staff is here or not. I was to have that vote.

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: With respect, at 6 o'clock I was in here for the vote. The vote was not called. The minister responsible for the government was the Minister of Agriculture, Food and Rural Affairs. He did not call the vote. What is the government House leader suggesting, that the opposition should call the vote?

Mr John Gerretsen (Kingston and The Islands): On a point of order, Mr Speaker: I concur with what Mr Wildman has stated just now, but I also concur that it had been agreed to have the fuel tax bill called for third reading by 6 o'clock. But it didn't happen and certainly the opposition is not to be held responsible for it.

Hon Mr Sterling: Mr Speaker, I again seek unanimous consent to call the ninth order, third reading of Bill 74.

The Speaker (Hon Chris Stockwell): I heard a no.

Hon Mr Sterling: I move that notwithstanding standing order 76(b), which requires a bill to be reprinted after being amended in committee, the House may proceed with the third reading stage of Bill 76, An Act to establish the Ontario College of Social Workers and Social Services Workers, during this evening's sitting.

The Speaker: You're going to need unanimous consent to revert to motions.

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 16 décembre 1998

Hon Mr Sterling: Do I need unanimous consent to revert to motions to put the motion?

The Speaker: Yes, to put that motion. Do we have unanimous consent to revert to motions? Agreed.

Hon Mr Sterling: Do you want me to repeat the motion?

The Speaker: Yes.

Hon Mr Sterling: I move that notwithstanding standing order 76(b), which requires a bill to be reprinted after being amended in committee, the House may proceed with the third reading stage of Bill 76, An Act to establish the Ontario College of Social Workers and Social Service Workers, during this evening's sitting.

The Speaker: Is it the pleasure of the House the motion carry? Carried.

SOCIAL WORK AND SOCIAL SERVICE WORK ACT, 1998

LOI DE 1998 SUR LE TRAVAIL SOCIAL ET LES TECHNIQUES DE TRAVAIL SOCIAL

Mr Sterling, on behalf of Mrs Ecker, moved third reading of the following bill:

Bill 76, An Act to Establish the Ontario College of Social Workers and Social Service Workers / Projet de loi 76, Loi créant l'Ordre des travailleurs sociaux et des techniciens en travail social de l'Ontario.

Mr Jack Carroll (Chatham-Kent): I'm pleased to speak on behalf of the minister at third reading of the Social Work and Social Service Work Act.

The underlying rationale for introducing this legislation is public protection. Social workers and social service workers deliver a wide variety of human service programs that benefit many thousands of our citizens every year. Many of the children and families receiving services provided by social workers and social service workers are at risk and are highly vulnerable. What followed those commitments was consultation not only with these two groups but several others, including educators and the educational institutions involved in their training.

On behalf of the government and the ministry, I would like to thank all groups involved in the consultation process that led to the drafting of Bill 76. They showed their commitment to improving these professions and strengthening public accountability through formal recognition. This bill would not have been possible without their help and support.

The legislation we are discussing today includes both professional groups, social workers and social service

workers. The inclusion of social service workers in regulatory legislation would place Ontario in the forefront of all Canadian provinces. Social service workers are not currently regulated anywhere in the country. The inclusion of social service workers in the proposed legislation recognizes the growing importance of this profession in Ontario. It would also significantly expand the number of practitioners subject to the proposed college's code of ethics and practice standards.

The Acting Speaker (Mr Mario Sergio): Questions and comments?

Mrs Sandra Papatello (Windsor-Sandwich): I'm looking forward to speaking to this bill shortly. What we are pleased with, and frankly surprised about, is that we managed to get this bill in the House for third reading after the kinds of antics that we went through yesterday at committee.

May I just say that in speaking about those who came forward to make presentations to our committee last night on this bill, we were also very disappointed that a number of individuals would have liked to make presentations to this hearing on the Social Work and Social Service Work Act but weren't allowed to because they weren't informed of the bill. We heard from many who did try to speak to the bill but were never notified that it was happening and in fact had some significant concerns with the bill.

Having said that, one of those was the Chiefs of Ontario, and those who work in the field of social work would know full well that for decades now there has been a movement among First Nations in Ontario so that more and more they are delivering their own social services. If ever there was a group that should have had an opportunity to speak with us, so that if they had serious concerns perhaps the government committee members could have allayed them, but they never had the opportunity to make that presentation, and that is a shame.

This was rushed through at the 11th hour in an unprecedented bill where you likely will have all-party support. The manner in which it was handled really was terrible. If organizations like First Nations had had the opportunity to speak that they should have had, to listen to government members explain why you chose to do things the way you've now selected to do them in the bill, perhaps they would have found the answers they were seeking. The point is that with this government they weren't even allowed to ask.

As we go forward with debate and, as I say, in an almost unprecedented way we likely will have all-party support with the bill, but we certainly could have found many, many ways to improve the process by which this bill was handled.

1840

Mr Peter Kormos (Welland-Thorold): First, I should indicate that I will be speaking to Bill 76 as well. Second, there was agreement among House leaders that there would be one hour of debate total on Bill 76 that would be split among the three caucuses. Of course we intend to abide by that agreement.

Also, take a look at what happened here. The government House leader had to seek unanimous consent to revert to motions, to move that this bill be presented for third reading, even though it hasn't been reprinted, as amended last night.

It was the opposition parties that had to plead for what ended up being a mere few hours of public hearings stretching into the late hours of last night. Had it not been for the opposition parties seeking that and obtaining that, the government amendments that were presented last night wouldn't have happened. The government hasn't even said thank you yet, and I don't expect that they will.

The government doesn't understand and doesn't care about the fact that there were a large number of Ontarians who had a significant interest in this piece of legislation and were denied by this government the chance to make what would have been very important submissions during the course of committee hearings.

We heard the frustration last night. We saw the government trying to block access to the civil service, the policy bureaucrats who were present, who could have expedited matters and made things move a little easier last night. We saw the government blocking opposition members' access to those people.

We saw some very articulate and legitimate criticism of this bill simply being swept aside, simply being brushed away, ignored, treated with disdain. When you treat the legitimate criticism of members of the public with disdain, you treat the democratic process with disdain. That's what we witnessed last night. I'm afraid we're witnessing more of it this evening.

Mr Gilles Bisson (Cochrane South): I didn't get an opportunity to debate on the bill and I just wanted to pass on some of the comments that I've heard from within my community in regard to this particular bill and to say that it's been a long time coming. We have seen social workers across the province organize and gather over the past three or four years, looking for such legislation.

It is not what I would see as a bill. I think the bill does not deal with the issues that need to be dealt with when it comes to the social workers of this province. But nonetheless, what they have is here.

I also want to have an opportunity to say that much of the services that are given by social workers are very lacking within the province of Ontario since this government has taken office. I'll just speak to one particular part, which is the section that deals with people with disabilities.

I've had an opportunity, as probably a lot of members of this assembly have, to deal with people in my constituency when it has to do with the issue of people with disabilities. I recently was speaking to Mr Howard Kyle, who lives in the city of Timmins, who has been trying desperately to access services in order for him to live independently at home.

There is a special program that was started up at the time the NDP was in power to allow individuals like Howard to purchase services themselves, with government money, to become managers of their own services so that

they can find independence by living at home alone. Unfortunately, the government has not moved quite as quickly or as forcefully as they should have in this particular bill and people like Howard and others within our community, and also within Cochrane North, as the member for Cochrane North knows, are not able to participate in those kinds of arrangements.

I would say to the members across the way, it's very good to bring a bill forward but if you don't put the dollars with it, it's not going to do a lot for the disabled community.

Mrs Helen Johns (Huron): I'd like to commend my colleagues for the good job they've done on this bill: First of all, Mr Klees, who has been involved in the hearings, and Mr Carroll, from Chatham-Kent, have worked relentlessly on this bill to move this process through.

As everyone is aware, there has been for 10 years in this Legislature a substantial lobby to somehow come to a point where we can regulate social workers within Ontario. I think we have to remember this as we listen to the comments tonight.

We're trying to protect in this bill the most vulnerable people in our society, so it's important that we recognize that for 10 years this was asked for and for 10 years it has not been forthcoming. We have moved on our commitment to ensure that there is a strengthened public accountability, that there are improved degrees of professionalism, if you will, within the social workers, and that all groups know exactly what they're getting as they go to a social worker and get services from them.

I think it's important also to recognize that in Canada there have been a number of other jurisdictions that have already regulated their social workers and that this is absolutely something that needs to be done as a result of that.

This benefit is going to be widespread, it's going to protect thousands of citizens of Ontario every year. I think it's a very good idea to move forward with this commitment and to ensure that these two groups of the social workers of Ontario are regulated and that there's a high degree of professionalism with them.

The Acting Speaker: Response, the member for Chatham-Kent.

Mr Carroll: Mr Speaker, maybe we need to get a ruling from you here about what will happen with the balance of our 20 minutes. I did not use it all up when we started.

Mr Tony Silipo (Dovercourt): You can still use it.

Mr Carroll: Could you maybe rule on that?

The Acting Speaker: You did not make any mention before, therefore we will continue with the opposition side.

Mr Carroll: There was a little confusion surrounding that, but anyway, we'll abide by your ruling.

I want to thank the members who stood and offered some comments. We've heard about this whole process being rushed through. As the member for Huron made reference to, we heard last night about seven different ministers, three different governments, many years having

gone by, everybody committing to bringing in this kind of legislation to control this particular profession, but in fact it never happened. So while the process at the end may have been a little quick, certainly the process leading up to it was very slow and very protracted. In actual fact, we got to a good place.

We heard a lot of evidence last night that this profession, a very important profession in our province, is one that can govern itself, as do many other professions. They want desperately to be in a position to do that. Sure, there were some people who disagreed with that. There are always people who disagree, and quite frankly that's healthy. But last night we heard from a majority of people that the profession of social worker and social service worker is one that deserves recognition as a profession, is capable of monitoring and governing itself, and with the passage of this bill we will have given them that right.

The Acting Speaker: Further debate?

Mrs Papatello: I'd like to ask for unanimous consent to split the remainder of the time. I'm going to share part of my 20 minutes with my colleague from Kenora.

The Acting Speaker: Agreed? Agreed.

Mr Bud Wildman (Algoma): On a point of order, Speaker: I don't want to give you difficulty this evening, but things seem a little confused. The agreement among the House leaders was that there would be a total of one hour of debate for this bill. What is being proposed now, I believe, is that the two opposition parties split the remainder of that one hour between the two.

Mr James J. Bradley (St Catharines): As happened this afternoon.

Mr Wildman: As was done this afternoon.

The Acting Speaker: The Chair was not here; the Speaker was. May we hear from the House leaders?

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): It's 20 minutes for each party and that's what should be used by each party.

The Acting Speaker: Is that agreed? Do I hear a no? Agreed.

Mrs Papatello: Why don't you allow them to continue their 20 minutes then?

The Acting Speaker: We'll come back to them.

Mrs Papatello: I am pleased to speak to this bill. As I understand, all parties will have an opportunity to finish their speech at some point in this next hour on the Social Work and Social Service Work Act.

What was very interesting about this bill is that from the time it was introduced in the House there was a good likelihood that all parties were supporting the bill. We still needed the opportunity to go through the process of hearings so that we could hear why it has taken 20 to 30 years to have discussion about the initiation of a college for social workers and social service workers in Ontario. In the end, what we come out with is Bill 76, An Act to Establish the Ontario College of Social Workers and Social Service Workers, with a number of items in the bill that some people who work in the field of social work find contentious.

1850

In fact, when we looked at the agenda of who was going to speak with us in hearings, almost 50% of the people who did speak with us were very much opposed to the bill and the other half of the people were very much in favour of the bill. The split is about eight to 10 in favour of the bill, but for the most part a large group of social workers, whom all MPPs across Ontario heard from in their own ridings, were very much asking their MPPs to support this legislation that was mostly through the work of the Ontario Association of Social Workers who, as a group, have been advancing the cause to have a college for some time. As was mentioned, depending on the speaker at our public hearings last night, some said it was a process that took 10 years, some said 20 years, and I think the staff who work for the ministry say it likely felt like 50 years.

In any event, I wanted to spend a moment just to talk to the whole process and what did happen. From the very inception this was an idea that would have support in all parties. That doesn't happen very often in this House. What followed could be best described as just chaotic. For the first time the House had a bill that all parties probably would support, two opposition parties insisted on having some level of hearings, and then the bill sat on the shelf with the government for weeks. All of a sudden we get to the last week that the House is sitting before it rises tomorrow and the government is in a scramble to get this bill passed before the end of the session. Social workers who've been actively advancing the cause for this bill as well as now on pins and needles, thinking, "You mean we've come through this process again with another term of government and we might not have this bill passed?" There was quite a bit of angst in the room as we proceeded.

I just wanted to share with you some of the reasons for that angst. First of all, the social development committee was the committee that was to hear public hearings. We only found out as late as the end of last week that we might get hearings. The subcommittee of that committee had to sit on Monday afternoon — today is Wednesday. Late Monday afternoon the subcommittee sat and determined at that time, at about 4 o'clock, that in fact there would be hearings and the hearings would be the next day.

What that means, for people who actively follow this discussion and would like to participate in public hearings, is that we would have to somehow let everybody know that the government agreed to public hearings on a bill. We'd have to advise them of when and where the hearings would be. They would have to get there and they would have to have the time to make preparation to do a presentation to the committee on this bill.

Don't forget, they made that determination at the end of the business day on Monday, with hearings to begin the next afternoon at 3:30. By the time those arrangements were made, the Monday was done, so they couldn't start initiating contact to people until the Tuesday, only to find out that the government didn't go through even a basic database search to inform people who would be affected

by this legislation of the hearings, which is why we ended up with a letter from Thomas Bressette, the Ontario regional chief. I will read his letter into the record because he wasn't able to make a presentation to the bill, again, a bill that likely would have the support of all parties.

The opposition party said: "We know there are people out there who are not in support of this bill. Those people have a right to be heard and there may be an opportunity while we have public hearings to then bring forward amendments that would make the bill better." But here we are in the last week of government, with this government so bent on ramrodding it through in a hurry that they completely forget about why.

What's interesting is that they choose to do this with this kind of bill for social service workers and social workers, people who work for social justice for a living. This is one group that could best appreciate why due process is critical. These are individuals who work on the front line of agencies, for governments, for social service agencies, who work with social justice issues every day. This group of social workers will understand better than probably any other group that people have a right to be heard, that they ought to be respected, that they ought to be notified, that due process is what they are owed as a member of Ontario.

Even the social workers could say, and I know they will agree with me wholeheartedly, that this is not the kind of process they wanted to see happen with a bill that they have worked this long for, to see the kind of antics performed at committee last night. So in the end we had —

Mr Wildman: It was bizarre.

Mrs Pupatello: As the House leader for the other party suggested, it really was bizarre.

We got to the point where we had some fairly basic questions that we chose to direct to the ministry staff. These are not political staff who work for the PC Party. These are ministry bureaucrats, civil servants who work for you and me, civil servants who work for all of the hundreds of thousands of people who live in Windsor-Sandwich. These are civil servants who work for all 11 million people in Ontario, and that means I have the right to request information of ministry staff.

The parliamentary assistant to this minister, though, sitting on committee, decides, "No, I'll answer all the questions, and in fact I'll decide, if I don't want to answer the question, whether I should let them answer the question." Keep in mind that these committee meetings were going on until midnight last night. So we have three senior civil servants, sitting with us at committee until midnight. They were sitting in the front row, not allowed to sit with us at the committee table to a microphone, and every time we had a question for them they'd have to come scurrying up to the table as though, what, they weren't good enough to come sit with us at the front of the table, as happens in every other committee in Ontario? For heaven's sake.

Here we are, saying, "For heaven's sake, we'd like to ask the ministry staff a question." I know my colleague from the other party will speak to this as well. Here we were at an impasse.

Interjection.

Mrs Papatello: No, we have a right to ask ministry staff a question, and a parliamentary assistant, who's busy doing some kind of power-tripping, as though he has now reached the pinnacle of his career, is going to tell us we can't talk to ministry staff. It was ludicrous.

Mr Silipo: Maybe he has reached the pinnacle of his career.

Mrs Papatello: We're hoping so.

It was absolutely ludicrous. It went to the point that we were laughing; if it wasn't so serious, we'd be laughing.

Mr Frank Klees (York-Mackenzie): On a point of order, Mr Speaker: I think it's only fair, because there are two parliamentary assistants in community and social services, that there not be any confusion about which one the honourable member is speaking.

The Acting Speaker: That is not a point of order. Member for Windsor-Sandwich, continue debate.

Mrs Papatello: Frankly, I get the two of them confused as well, so I'm not certain which one was doing it. In any event, the point is that we were busy dealing with a bill that is not all that long. The bill is 33 pages long. It was a fairly straightforward bill. There were some issues around who would become members of that initial transition team, the council that would be the body or executive board that would oversee this council, seven members from social work groups, seven members from social service work groups, seven members to be appointed by the Lieutenant Governor.

It was when I chose to introduce the amendment at about 10 o'clock last night, when we moved as the Liberal Party that was supported by the NDP as well, that that council — and remember that the first year, that transition term of this council, when it strikes the college, will be the most significant year of the college. What happens in the first year of the college's life will determine for all of those who have been opposed to the development of the college that they either had a point or they didn't. That's why we wanted to focus so much attention on the makeup of the college, the first year of its existence, that it be fair, that it be reasonable in its determination, that it be reasonable in dealing with people regardless of education, the background they come from, but that they be dealt with in a fair manner.

The first year of existence of this college is going to tell the tale for all social workers, and the numbers still remain uncounted; there are thousands of people who work in a myriad of jobs, whether they're for children's aid societies, for cities and municipalities, whether they work for school boards or they work for the homeless coalitions out there right across the province. It is critical for them to know that there is a place for them in the college and that it will be an appropriate place for them and that it does right by the field of social work.

It was put to us best when it was explained what the act would do when it created a college: It would establish and enforce professional and ethical standards; it would receive and investigate complaints against members; address discipline, professional misconduct, incompetence or

incapacity; promote high standards and quality assurance in the profession; communicate with the public on behalf of members; establish and maintain membership qualifications; approve professional education programs for purposes of registration. The list goes on.

1900

In the field of social work, which is one of the most changing we have in academic schools across universities and colleges, what is critical is that social workers too always remain up to date in the latest technology and philosophy in the field of social work. We know that's what the college is intended to do, and we will be watching that it in fact does that, and we think it's an appropriate thing to do.

In any event, we had a Liberal motion that the first council that would oversee the social work school would include: "at least one person who is a member of the faculty of a social work program...at least one person who is a member of the faculty of a social service work program," thereby representing universities and colleges. It also called for:

"at least one person who is a social worker or a social service worker and,

"(i) is a member of a band as defined in the Indian Act (Canada), or

"(ii) has clients who are members of a band as defined in the Indian Act (Canada)"

And finally, "one person who is not a social worker, a social service worker or a person described" in the above, meaning literally a member of the general public, perhaps the client group. They too would be ably represented on that council.

This motion was turned down, an amendment which we thought would insist that at minimum — because everyone will be watching the college in its first year, the selection of the first council will be critical. In my view, the selection has to be appropriate to ensure the success of the college overall.

When this bill was introduced in the House just now, it was said by a member opposite, "What we are trying to do is do right by the most vulnerable people in Ontario and do that through the means of a college," meaning, give better protection for both social workers and the clients they serve. I agree with that statement. What I disagree with in that statement is that this is the same government that has brought to bear on these same social workers absolute havoc the likes of which they have never seen in the last three and a half years of this same government.

In fact, a majority of the people who spoke to us are people who are transfer agencies of this government, who have suffered through welfare cuts and what they've meant to families they serve, who work for agencies that don't have the staff and resources to do the kind of job they would like to do.

Some of the other amendments that came forward last night said very clearly that when a college is going to take disciplinary action against social workers, the college must be clear in its dealings with social workers that the social workers will not be punished because of an issue

with the system specifically related to the funding of the system, potentially, or that the way an employer chooses to manage that system, the social worker is caught in the middle.

I mentioned some cases that have come forward in coroners' reports, for example, where today, in children's aid we have social workers who cannot manage their files and for one very good reason: They don't have the means or the resources to do their job properly. Their numbers of cases are astronomical. They have never had to carry so many files as they have in the last three and a half years.

I mention children's aid specifically because that's the one the government chooses to make announcement after announcement on. When you go on the front line in any community in Ontario and speak to people who work with children and their families, they will tell you that the system is severely broken — not just the children's protection system, but children's mental health agencies, which have seen cut after cut.

We have advanced stories in this House where the children's aid in my own hometown, as an example, could not remove a child from the home when that child was found to have a loaded gun under his bed, because there were no resources for that children's aid to take that child into care. How do the social workers who have to deal with that case file do their job?

It is one thing to have a college that metes out appropriate disciplinary action. It's appropriate to have a college that will set appropriate education standards, potentially retraining requirements. What will that do for the social worker in the field who doesn't have resources in the community to turn to to allow the social worker to do their job? Example after example that we bring forward in this House deal with those issues.

So to spend the number of hours we have in hearings that in the end were done so quickly that all those who would have liked to participate couldn't — and I must read into the record, for the sake of Thomas Bressette, the Ontario regional chief, who writes to the minister regarding this bill:

"I wish to express concern regarding the process your government has taken with the proposed legislation to regulate social workers....

"As First Nations in Ontario increasingly administer and deliver our own social services, this legislation could directly affect many agencies in our communities. As a coordinating body for 134 First Nations in Ontario, the Chiefs of Ontario (social services unit) would have appreciated direct notification of the proposed legislation.

"I must express dissatisfaction that we were not given notification, or approached in any way for consultation or feedback. Nor were we notified of the public hearings to be held today — as such, we were not able to prepare to have a representative attend the meeting.

"As we received no direct notification from your government, and were only made aware through other channels, we would appreciate being given a reasonable amount of time to review and comment on the proposed legislation before it is moved to third reading.

"I look forward to pursuing due process and consultation with the ministry on this issue. Your prompt attention to this matter is appreciated."

It's signed, "Sincerely, Thomas Bressette" on behalf of Chiefs of Ontario.

This is the last thing you need to show to the Chiefs of Ontario. Once again, as in the Ipperwash inquiry, which has never been called, these are the kinds of things having to do with due process that — above all else, social workers, given the field they work in, understand better than most the concept of social justice and due process. This is not a group that is going to be as shallow as to think, "Well, the government, manna from heaven, gives us a bill to finally have the college we've been seeking year after year." They chose to bring it in at the 11th hour. They chose to display such incredible antics to try to muscle around the opposition, to deny us even the briefest of questions to ministry staff so that a senior minister of cabinet had to head down to the committee room at 11 o'clock in the evening and lean over the desk and say, "Let the staff speak."

Have you ever seen anything like this? Can you imagine? My colleague and I sat watching all of this. Given that in the last couple of hours we've had another country bombed, you start putting things in perspective. We want Bill 76 to pass. We know that in the bill itself there is a clause for review, that it must be reviewed. We know that the way the council must be struck and set up in the next year will be critical, and it will be watched. I know that we have here in the House representatives of the association of social workers. They know that we'll be watching.

We also know that in accordance with the way the bill is written, ultimately those appointments to the council, and the regulations and bylaws of the organization, will be reviewed by the minister, will be sanctioned by the Lieutenant Governor. So if there are concerns out there, as was expressed last night, for example, by the academics who came to speak with us like from York University and U of T who said, "We fear the approval clause to our academic curriculum," there are clauses in this bill that are a protection for them and we think they should know about that.

Had we had more time to even have a conversation between learning the details of the bill, we could have shared that with all the colleges and universities in Ontario that would have had those concerns; that there was an amendment introduced at the 11th hour that changes some of the wording that should make it easier for them.

I look forward to the passage, finally, of Bill 76 and I caution all the government members to try to improve on their process next time.

The Acting Speaker: Further debate? The member for Cochrane North.

Mr Bisson: Cochrane South, Mr Speaker. It will be part of the new riding, but I wouldn't be as presumptuous to believe that I can decide what the voters are going to decide.

I have a very quick question having to do with this legislation. I have watched the debate with some interest. I have had a number of people in my community come to me and ask about that — not large numbers, but a couple of people have come to me. They're really interested in why it is that the perspective of a number of social workers has not been taken into context. I speak specifically of the members from CUPE and other members who are in the social work field — mostly CUPE, a few of them non-unionized. They want to know, and I want to ask the parliamentary assistant, when he has an opportunity to debate in this next rotation, why they tried to hurry this bill through and not listen to the very people this bill is going to affect?

1910

Hon Janet Ecker (Minister of Community and Social Services): I'm probably going to use up most of the time. If not, my parliamentary assistant, Frank Klees, will be providing the final, wrap-up comments on this.

I'm very pleased to welcome to the gallery Dan Andrae and a couple of his colleagues from the social work profession, who have come for the debate tonight, and who, I think, have done an absolutely wonderful job — and I think some of us want to give a round of applause — on bringing this issue to the fore. As has been mentioned here, they've lobbied long and hard for many years, and we are very pleased that we've been able to bring forward this bill, the Social Work and Social Service Work Act.

It's important to note that the underlying rationale for introducing this legislation is public protection. Social workers and social service workers deliver a wide variety of human service programs that benefit literally thousands of Ontario citizens every year. Many of the children and families who receive services provided by social workers and social service workers are at risk and very highly vulnerable when they come to social workers for care, for counselling and for support.

The assistance and advice that is provided by these professions has very far-reaching consequences for the individuals and families and society. Despite the importance and the sensitivity of the work they do, these two professions do not currently enjoy any formal recognition in Ontario. Ontario was the only Canadian province that did not regulate social work. The proposed legislation we're debating tonight would rectify that absence of formal recognition. It would assure members of the public that the services provided by members of these professions would conform to the highest ethical and quality standards.

The absence of self-governing status in this area is not a new issue because, as I mentioned, for years social work practitioners have lobbied successive Ontario governments to introduce professional self-governance legislation. But for many reasons — and this is not a criticism of previous governments — those attempts by social workers were never successful.

We believed it was possible to overcome this impasse. Premier Harris committed the government to introduce legislation, and both I and my predecessor in this port-

folio, Mr Tsubouchi, confirmed that intention on several occasions.

What followed the commitments we made was a consultation process with all the different groups within social work including educators, social service workers, the existing voluntary college, all the different groups involved in social work. I'd like to thank all those groups involved in this process over the last several months. Their assistance in drafting this legislation has been very helpful.

I think the reason there has been such agreement, such consensus, on the principles in the majority of this legislation is because of all the work those groups have done. They've certainly demonstrated their commitment to improving their profession and also their commitment to strengthening public accountability through this formal recognition. This bill, quite simply, would not have been possible without their hard work and help and all their support.

As I mentioned, the legislation we're discussing today includes both professional groups: social workers and social service workers. The inclusion of social service workers in this legislation actually places Ontario in the forefront of Canadian provinces. Social service workers are not currently regulated anywhere else in Canada. The inclusion of social service workers recognizes the growing importance of their profession in Ontario. It also will expand very significantly the number of practitioners who will be subject to the proposed college's ethics code and practice standards.

It's difficult to overestimate the importance of the social work and social service work professions in this province. They're among the professionals who deliver key services for Ontarians such as probation services, mental health services, services for people with developmental handicaps, children's aid societies, hospitals, the education system, nursing homes, home support programs, addiction treatment programs — the list goes on and on. Increasingly in recent years, many social workers and social service workers have been entering private practice by offering their services to members of the public on a fee-for-service basis.

All these examples illustrate the extent to which we depend on both these professions to deliver important services. But they do not communicate the complexity of their day-to-day activities and the expectations society places upon them.

Social workers and social service workers interpret complex legislation. They appear in court to give expert testimony, often involving very difficult and very emotional situations. I bring to mind the situation with child protection workers. Many social workers are involved in that field, and I can't think of a more difficult or more emotional situation than they have to deal with. They work in conjunction with many other professional groups such as the legal profession, teachers, doctors, psychiatrists and psychologists. They're very much part of the continuum of services both in the social service and in the health service world.

One of the observations they make has been that many of the professions they work with already have credentials and practice standards that are recognized in legislation. The activities and conduct of many of these other groups are guided by self-governing colleges, with the result that they are professionally and publicly accountable for their actions.

Another important issue raised by the absence of formal recognition is public safety. It's currently possible for social workers and social service workers to set themselves up independently to assist members of the public. In the absence of a regulatory college, the public right now have no way of knowing whether these services are being provided in an ethical and professional manner and they can't check out someone, for example, they might wish to receive services from.

I'd like to turn to just a couple of the detailed provisions of Bill 76 and describe how we believe it will protect the public through formal recognition of this profession.

First of all, the bill creates a College of Social Workers and Social Service Workers. This would be a self-financing and self-governing body. The proposed college would regulate the two professional groups and govern their members as provided for in the act. This creates a significant expansion of the number of social workers and social service workers subject to the college's code of ethics and standards of practice.

When it is up and operating, the college will have a potential membership of 10,000 social workers and a greater number of social service workers. By comparison, the existing voluntary Ontario College of Certified Social Workers has approximately 3,000 members.

The college will be governed by a 21-member council with equal representation from each of the two professions and the general public. I think it's a very important protection that members of the public would also be part of this council, as well as elected members of the professions.

Membership in the college would be required for anyone wishing to use the titles "social worker," "social service worker," "registered social worker," "registered social service worker" or their French-language equivalents.

Those eligible for membership in the new college would include three broad groups: people holding a degree from a social work program accredited by the Canadian Association of Schools of Social Work, a social work program or an equivalent program approved by a body prescribed in the regulations, or an equivalent program prescribed by the regulations. I think it's an important function for this new college they will be helping to ensure that the educational qualifications for social workers are indeed the best we can achieve.

Second, people holding a diploma in social service work, or an equivalent program as prescribed in the regulations, would also be included; third, practitioners who lack these qualifications but instead possess a combination of related academic credentials and experience considered

substantially equivalent by the college and prescribed in the regulations.

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The college would establish the requirements for certification and maintain a publicly accessible register of all members. This register would contain such information as the type of certification held by each member, the terms and conditions on their certification, if any, and the details of any suspension, cancellation or revocation of membership.

The public would be further protected through the creation and enforcement of ethical and professional standards. Employers would be required to report, for example, the termination of a member of the college for incompetence, incapacity or professional misconduct. Employers would be required to report the conviction of members of a Criminal Code offence that involved, for example, sexual misconduct. Members would be required to report their own conviction of a Criminal Code offence involving sexual misconduct. All of these are very important for public protection, to ensure that the services they receive from individuals are indeed from individuals who have the best credentials and the best track record.

Bill 76 requires the creation of an effective and transparent public complaints process. The procedures to govern investigations, hearings and sanctions are in line with similar legislation governing other professions, such as the Ontario College of Teachers Act and the Regulated Health Professions Act.

A critical function of the proposed college will be to maintain quality assurance within the two professions. This would be accomplished in a couple of ways: through the college's registration and public complaints processes; through the establishment and enforcement of standards of practice and a code of ethics; and by setting expectations with respect to continuing education.

There will also be transitional arrangements, because under this legislation the minister will appoint a transitional council. Over the year following passage of this legislation, this council would establish the administrative processes, hire the first registrar and deal with the application process, begin registration and prepare for the first elections of the college council. They will indeed be extremely busy.

Before concluding my remarks, I'd like to note briefly the relevance of this act for the ongoing reforms to Ontario's child protection system. One of the key objectives of our step-by-step reform is to improve the tools and the resources available to front-line child protection workers and to upgrade their capabilities. In the past two years, we've invested significant funds in this area to establish a common risk assessment system, to develop a common database that will link all children's aid societies — and many are already linked up on that database — and on increased staff training. The creation of self-regulating status for the social work and social service work practitioners will very much support the direction of these improvements.

I've spoken earlier of the important and positive role played by the various groups involved in the consultation process that led to this legislation. Since the introduction of the bill, it has been particularly gratifying to see their support expressed so publicly. For example, earlier I mentioned Dan, who is actually the president of the Ontario Association of Social Workers. He said:

"The profession has been working for 15 years to see this day. It truly represents a win-win situation for both the profession and the public by strengthening professional standards and accountability that would benefit citizens across Ontario."

There is also strong support from the social service work profession for the decision to include their practitioners in this proposed college. As Kevin Kennedy, of the Ontario Social Service Workers' Association, said:

"For years, our association has been supportive of social work legislation that includes social service workers. We are extremely gratified with the solution this ministry has developed and look forward to participating in the process of creating the new College of Social Workers and Social Service Workers."

Consultation has continued during consideration of this bill. An amendment to the draft legislation was made last night which clarifies that the college would accept as approved social work programs credited by the Canadian Association of Schools of Social Work. The college may also accept a list of other bodies which approve or accredit social work programs, such as the Canadian Association of Social Workers or similar American bodies.

This is the latest in a broader series of initiatives being taken by this government to protect and assist vulnerable people and to improve this province's social and community services system. The college will provide assurance to clients, employers and the general public that the services provided by social work and social service work practitioners are of the highest quality. It will ensure accountability for members of these professions and for the services they provide.

The college will support the pursuit of quality assurance and the ongoing training and education of college members.

Both the public and the social work and social service work professions will benefit from this legislation. I'm very pleased that this government has been able to bring this forward.

The Acting Speaker: Further debate? The member for Welland-Thorold.

Mr Klees: On a point of order, Mr Speaker: I just want the House to know that I agree with everything the minister has said.

Mr Kormos: Now that the parliamentary assistant has stopped puckering, Ms Ecker can stand up.

I tell you that this has been a most interesting process. What's interesting about it has been some of the distortion and lack of candour during that brief period of time from when the bill was introduced on November 2 until a whole month and a week later, when it was finally presented for

second reading, and then, but two days later, forced to a vote on second reading.

Mr Bradley: Are you going to read the phone book, too, Peter?

Mr Kormos: Mr Bradley is right: I brought a phone book, as I did to committee last night. What I find disturbing is that some of the premises that were advanced are downright erroneous and false. We heard from the minister today about the danger of people hanging their shingle and practising as social workers. I got the phone book to see how many of these people there were in the city of Toronto, how many people there are presenting themselves as social workers to the public such that this regulation is necessary to protect the public from them. Take a look, Minister, because you'll find that in all of the Toronto yellow pages there are three people under the listing of "social workers." Far be it from me to suggest that any one of the three aren't bona fide social workers.

Ms Johns and Ms Ecker talk about protecting the public from charlatans who would pose as social workers who don't otherwise meet the standard. It doesn't appear to be the case. You see, the real problem out there is when you turn to therapists and counsellors, where you find page after page after page of people identifying themselves as counsellors or therapists of one sort or another, who aren't included in this bill whatsoever and who run roughshod presenting themselves and holding themselves out as something that they may well not be, not being subject to regulation.

This party indicated from the day of first reading that it supported the principle of a regulatory board. On first reading and in response to the minister's address, we indicated that qualified support, but also indicated some real concern about the fact that here the minister was going to talk about regulating social workers but wasn't going to talk about the stripping of resources from any number of transfer payment agencies which employ social workers, which has left them underresourced, understaffed, struggling with higher and higher caseloads, incapable of doing the professional work that we call upon them to do. Indeed, that was the content of much of the frustrated participants at the hearings last night.

Understand what happened: You see, the government had written to the Ontario Association of Social Workers in the late fall of 1995 and again in the very early part of 1996 promising them this legislation. It took over two, two and a half years before the legislation sees the light of day, and then it's so rushed that huge chunks of the Ontario population are denied any right to participate in very important public hearings. Notwithstanding that the brief hearing process — you know how it happened. It started at 3:30 in the afternoon, carried on until 9 o'clock last evening and then broke for an hour for preparation of amendments.

Mr Wayne Lessard (Windsor-Riverside): An hour?

Mr Kormos: It could have broken for an hour, but Ms Papatello and I both agreed that at the end of the day there was so little time to do anything that you might as well make it 45 minutes. We struck a balance. That was after

being denied access to the bureaucratic staff. That was after — notwithstanding some very short, 15-minute comments by any number of participants — witnessing some very interesting observations and drawing some very important conclusions.

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Let me say as well that our colleague Blain Morin spoke for us in the lead comments to second reading of this bill back on December 8. I endorse the position of Blain Morin, and I tell you every member of this caucus concurs with the position very skilfully and articulately presented by Blain Morin on December 8. Blain Morin, the member for Nickel Belt, outlined very clearly some of the very specific concerns that huge numbers of people in the social work profession out there, across Ontario, have about this bill. He expressed very specifically the shortcomings in this bill; shortcomings that we were prepared to work with the government to address; shortcomings that we were prepared, in a spirit of compromise, to work with and, by way of amendments to the bill, have addressed so the bill could become better than what it was.

We heard some outstanding people. I was pleased that the Ontario division of CUPE was able to be there last night. We also heard from people like Judy Tsao, Paul Agueci, Luisa Quarta and Patricia O'Connor. What was interesting about these people is that these people — let me tell you, they're darned good social workers. They're social workers out there in the fields, in the trenches, taking on issues and also taking on, in a very political way, the attack of this government on the most vulnerable people in our community. They're not part of any social worker establishment. They're not part of any old boys or old guys and gals club that has become tired and complacent. They're bright young people. They're people with social service diplomas and BSWs and MSWs. To the last of them, when they spoke to that committee, they spoke with great concerns about the nature of this bill, the nature of this particular legislation. They also spoke with some concern about the fact that the Ontario Association of Social Workers appeared to have some clear domination over the development of this legislation.

The Ontario Association of Social Workers is the organization that won't allow social service graduates to join, never has allowed them to join. We heard from them, as we should have. We also heard from the Ontario College of Certified Social Workers. This is the organization that if you join it — and some 3,000 social workers in the province have joined it — and you pay your dues and you meet the other requirements, you get to put CSW after your name. For the life of me — I guess I was fortunate, because I got to find out what "CSW" meant last night. It meant that you belonged to the Ontario College of Certified Social Workers and you paid your dues and you hadn't been expelled from that group and that you were one of 3,000 who did so.

After Blain Morin's comments in this Legislature on December 8 — appropriate comments, healthy comments, comments that were important to the democratic process, comments that indicated, as he ought to have, that we

supported the concept in principle of a regulatory process but had great concerns about what was in the bill and that we spoke on behalf of thousands and thousands of people who shared that concern, who had prompted that concern — the reaction to Mr Morin's comments in this House were spectacular, to say the least. I suppose I'm proud of Mr Morin, among other things, for having generated such a spectacular response. Some people really had their noses put out of joint by what Mr Morin said, as was his responsibility as a good member of this Legislative Assembly to say.

Mr Bradley: Name names.

Mr Kormos: The Ontario Association of Social Workers. Somebody misled the Ontario Association of Social Workers. Somebody lied to them. Somebody went beyond merely misinterpreting what had happened in this Legislature on December 8 to outright lying.

Mr Gilles Pouliot (Lake Nipigon): Who lied to them?

Mr Kormos: I'm not suggesting any member of this assembly. But somebody lied to the association, because somebody left the association with the distinct impression that there had been a deal struck in this assembly to put Bill 76 to a vote on December 8. There never was any such deal. Whoever told the association that lied to them, and the association was gullible enough to believe it.

The suggestion was made not only that there was a deal but that the NDP was blocking the bill. Again that was a lie. Whoever made that suggestion is a liar. Whoever made that suggestion was a liar when they said it and is a liar now and would be lying again if they repeated it.

The fact is that Blain Morin utilized, as was his right and his obligation, the hour allotted to respective caucuses for lead statements, and he utilized that hour in a very effective and important contribution to the debate, a debate, quite frankly, that should have lasted longer than two mere days, a debate that should have been followed by committee hearings that lasted longer than a mere few hours into the evening last night.

Let me put this to you. I credit a couple of people with this bill having survived the committee process last night, because the government put this bill at risk. The government almost blew it. The government almost killed this bill. The government came this close to killing this bill, were it not for members of the opposition.

I'll tell you, Bill Lidkea, a social worker in Thorold who practises privately with the firm of Lidkea, Venema and Stob in St Catharines — I give Bill Lidkea credit. Bill Lidkea is a very competent profession social worker. Indeed, Bill Lidkea is a proponent of this legislation. I'll tell you right now that I give Bill Lidkea credit for this bill having survived the committee process last night, with some support, I tell you, from Drummond White from the Durham region association; Drummond White, who expressed concern on behalf of his colleagues in Durham about the Ontario Association of Social Workers and their presentation to this government's committee on Bill 142; Drummond White, who expressed the concern of the Durham branch of the association that the Ontario Association of Social Workers endorsed Bill 142, the prov-

ince's workfare scheme, and suggested that components of it were consistent with social work values.

No wonder, no bloody wonder, that people like Judy Tsao, Paul Agueci, Luisa Quarta, Patricia O'Connor and Peter Paulekat wanted nothing to do with the Ontario Association of Social Workers. They weren't even interested in the proposition of themselves and others like them joining it, becoming members so they could throw out the executive and make that association a little more relevant and a little less staid and conservative, a little more leading-edge and a little more progressive and a little more out there and concerned about what's really happening to the most vulnerable people in this province, especially under the attacks of this ultra-right-wing government, which has no qualms about befriending and aiding the rich and similarly has no qualms about continuing its attack on the poorest in this province.

These are people who as well couldn't understand why social service graduates of community colleges — and look, one of the persuasive arguments on behalf of this bill that has been presented to me is that it finally gives some stature or status to social service graduates, a stature and a status that had been denied by the Ontario Association of Social Workers historically.

I read the letter Blain Morin received the day after his speech here in the House from the president of the Ontario Association of Social Workers that repeated the lies that had been presented to it; that went on to suggest that if the NDP didn't stop blocking this bill, which was a complete mistruth to begin with, the association was going to denounce the NDP and the association was going to present the NDP as being anti-public-protection and anti-children because the NDP wouldn't knuckle under and refuse to debate a very important piece of legislation that warranted debate.

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Last night wasn't a pleasant moment here at Queen's Park, because democracy suffered more than a little; it died a little last night at the hands of this government. When we saw committee hearings that couldn't have had any impact, because the government couldn't have had any time to respond to the concerns raised, we saw democracy die a little bit. We saw it being euthanized by a government that cares less for democracy than it does for the outright bold and bald exercise of power at any cost, and with one motive, to serve its rich friends at the expense of working people, the poor and seniors and other vulnerable people.

This bill is going to pass, and it's going to pass, from my point of view, in some large part because of Bill Lidkea and people like him, progressive social workers, people who understand that you can't be a social worker without having a level of political consciousness that allows you to understand that there's also a need to build and develop social justice. If that means fighting the Tory government, you're darned right that means fighting the Tory government. Being a social worker can't just mean acquiescing when people are under attack by a right-wing government that cares less about the most vulnerable and

about kids and about seniors and about the sick. Being a social worker means helping people mobilize to fight that, to resist that, to change that and to build a different kind of society than the Conservative government at Queen's Park wants to build, a very different kind of society, certainly the kind of society that our parents and grandparents wanted to build, not the kind of society that Mike Harris and the Tories envision for Ontario's future.

So the bill is going to pass, and I express gratitude to Bill Lidkea. I express gratitude to people who appeared last night who weren't fans of the bill, to the sleeves-rolled-up, in-the-trenches social workers who said, "I don't need 'CSW' after my name to go out there and do my job," who told us that they just needed a passion for social justice and a passion to help those who are the weakest and the most vulnerable and help those who are under attack in our society.

I suppose I give credit as well to the thousands and thousands of social service diploma graduates from community colleges, the people who increasingly find themselves working in the field of social work in this province but who will be denied — oh, I suppose it doesn't matter to most of them either whether they're called social service workers or social workers. It makes a whole lot of difference to the social workers, because these people are out there all too often at wages that are far less than adequate and doing work out there with people whose lives are being changed significantly because of the involvement of committed young trained people like the people graduating from our community colleges.

I regret that the government wouldn't consider one of the amendments presented to it by either of the two opposition parties. Mrs Papatello had a significant amendment that would have paid some heed to the concerns expressed by the aboriginal community and the failure of this government to recognize that aboriginal community's role in developing its own social services programs.

This government refused to consider a number of amendments coming from the New Democratic Party that would have addressed the concerns expressed by unionized social service workers and social workers out there in the province who find themselves being defunded and understaffed and called upon to do more and more work and who don't consider themselves part of any social work establishment but consider themselves part of a set of social work troops out there engaged very much in what amounts to trench warfare.

The bill is going to pass, and there will be a college, but I give credit to the Bill Lidkeas and to those progressive social workers and social service workers who really do make a difference.

The Acting Speaker: Mr Sterling has moved third reading of Bill 76. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Hon Mr Sterling: I seek unanimous consent to call the ninth order, third reading of Bill 74.

The Acting Speaker: Agreed? Agreed.

FUEL AND GASOLINE
TAX AMENDMENT ACT, 1998

LOI DE 1998 MODIFIANT LA LOI
DE LA TAXE SUR LES CARBURANTS
ET LA LOI DE LA TAXE SUR L'ESSENCE

Resuming the adjourned debate on the motion for third reading of Bill 74, An Act to amend the Fuel Tax Act and the Gasoline Tax Act / Projet de loi 74, Loi modifiant la Loi de la taxe sur les carburants et la Loi de la taxe sur l'essence.

The Acting Speaker (Mr Mario Sergio): Further debate? There being no further debate, Mr Sterling has moved third reading of Bill 74. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

SUPPLY ACT, 1998
LOI DE CRÉDITS DE 1998

Resuming the adjourned debate on the motion for second reading of Bill 96, An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 1999 / Projet de loi 96, Loi autorisant le paiement de certaines sommes destinées à la fonction publique pour l'exercice se terminant le 31 mars 1999.

Mr Sean G. Conway (Renfrew North): I'd like to resume the adjourned debate on second reading of the supply bill, Bill 96. It is a right and proper thing that we do this tonight. To be fair and frank with my colleagues in the House tonight, I'd like to take the opportunity to follow on some of the remarks I was making in question period today, and I'm going to try to do so in a fairly even-handed way.

I want to begin the debate tonight by reminding everyone about what it is a supply bill means in our system of government. I want to talk, for part of my time tonight, about an item that is contained in this bill that is of particular interest to me, and it's the one that I was discussing this afternoon in question period, the so-called McLean bill. Where I take issue with Mr Johnson, the Acting Premier, who in a difficult circumstance I thought argued his case probably as well as it could be expected to be argued, is simply this: that regardless of what is done in various committees around this place, at the end of the day and at the end of the cycle, it is the responsibility of Parliament to vote supply, the appropriation bill. That's where we, as a collective, get to pass judgment on one of the most ancient and important of the prerogatives of the people's representative, the House of Commons, the Legislature. This is the one time, the end of the cycle, where we as individual members must give our approval or withhold our consent from the estimates and the expenditures that Her Majesty's government comes to Parliament, as it must, to seek that approval. That's a basic and powerful function. It has been obscured over the years for a variety

of reasons, not the least of which is that caused by the politics of the foregone conclusion, namely, the party whip, and other changes we have made.

Excuse me, but please, there's a debate going on over there that I'd like to quiet down.

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The role of Parliament in voting supply is as I have described. I'm not going to bore members of the House tonight with a lengthy recitation of Parliamentary Practice, Erskine May, 22nd edition, but suffice it for me to read the following from page 732 under the chapter "Financial Procedure," Parliament:

"It was a central factor in the historical development of parliamentary influence and power that the sovereign was obliged to obtain the consent of Parliament (and particularly of the House of Commons as representatives of the people) to the levying of taxes to meet the expenditure of the state. But the role of Parliament," says May, 22nd edition, "in respect of state expenditure and taxation has never been one of initiation: it was for the sovereign to demand money and for the Commons to respond to the demand."

So it is we have the Minister of Finance, Mr Eves, rightly and properly coming to us as the session concludes with the appropriation bill, the bill now before us, Bill 96. This is a very straightforward yet very important, very powerful bill. Let me read what it says:

"Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the province of Ontario, enacts as follows:

"1.(1) For the period from April 1, 1998 to March 31, 1999, amounts not exceeding a total of \$52,386,596,000 may be paid out of the consolidated revenue fund to be applied to the operating and capital expenses of the public service, as set out in the [attached] schedule...."

The attached schedule is the back page of the bill, and if you haven't looked at it, you might want to look at it, because it is in this bill that are to be found all of the spending estimates that the various and several committees to which we individually belong have been approved.

So they come to us now for a final approval, and in the request is the tacit understanding that this Legislature has the right to grant full consent, to grant partial consent, or to theoretically deny total consent, although the third option seems almost inconceivable.

I don't mean to be precious or difficult when I say that there is never a supply bill that is going to be without contention, because of course it's got all the spending in the government. In this case, it's \$52.386 billion worth of spending. There's not a member in this Legislature who would not have some ground on which to contest some expenditure. I know that when I was in government, I would have been more than willing to refight some of the battles cabinet lost from my point of view.

I also make the observation quite seriously that in the final days of this session, it is quite clear that there is one appropriation contained in this supply bill that is deeply troubling to a number of members on all sides. That is the appropriation that I will refer to as the McLean-Thompson

matter, and it is contained in this bill. This spending bill asks our approval, in that \$52.3-billion-odd worth of spending, for \$103,996,200 for the Office of the Assembly for the year April 1, 1998, to March 31, 1999.

It is against that \$103-million appropriation that the legal fees of Mr Al McLean, the member of the Legislature for Simcoe East, agreed to be paid by the majority on the Board of Internal Economy a few days ago — it is against that appropriation that those particular monies will be charged. So it is rightly before us tonight. This is our only chance, as a Parliament, to pass judgment on that.

I respect entirely the right of honourable members to take a contrary position to the one I will take, but later in this debate I will move an amendment, and I want to read it again. My amendment will be placed in committee, preferably in committee of the whole, but that will be the government's call. I do not offer this amendment, I want to be clear, as any kind of delaying tactic. I'm quite prepared to say to the government House leader that there need be no debate, although I think we should have at least a 15- or 20-minute debate. But if you really want, just put the question. By the time we get to it, I think there will have been a reasonable debate. I want the question put, and I want all honourable members to have a chance to stand in their place and say, "Yes, I agree with that," or "No, I do not agree with it."

The amendment is very simply that the total appropriation of \$52.386 billion be reduced by the amount, whatever it was, of the legal fees approved by the Board of Internal Economy for the member for Simcoe East in his litigation with Ms Sandi Thompson.

Let me just take a few moments to explain to the House my thinking on this. I know some will not believe me, but I don't offer this as a punitive measure against one of my colleagues. I sincerely and honestly do not. I've been around here long enough to know some very good friends who got themselves into difficulty where they had to retain legal counsel, and in one or two cases there was a very clear argument that all or part of the matter in which trouble arose had to do with the honourable member's public business. But in those cases, those members went out and either paid a very substantial legal bill themselves from their own resources or they organized their friends and their community into a legal defence fund and paid the account that way. So in that respect there is precedent, in my experience, for colleagues who have been sued or otherwise tangled up in litigation, where they were forced to pay significant legal bills, and they made no claim against the public treasury.

My concern about what the Board of Internal Economy did the other day is as follows: It is clear, to me at least, as one member, that in the opinion of a very good lawyer, Neil Finkelstein, a lawyer retained by the board — Mr Finkelstein looked at all of the various aspects of the McLean-Thompson matter and he concluded and so advised the people's representatives at the Board of Internal Economy that this was essentially a private matter between former Speaker McLean and Ms Sandi Thompson; that because in the considered opinion of a

good lawyer, it was, he said, a private matter, there was no liability, responsibility or obligation on the part of the people's representatives, the members of the Board of Internal Economy, to expose the public treasury to any of the costs associated with the litigation.

That is a critical point. The people's representatives retained legal counsel. That legal counsel gave very clear advice. Unlike others who have been talked about in this matter, Mr Finkelstein was a lawyer who carefully reviewed all of the matters at dispute and it was the opinion of Mr Finkelstein, in his advice to the legislative committee, the Board of Internal Economy, that there should be no payment of public money in respect of the legal costs arising out of the McLean-Thompson matter.

There is a written letter from Mr Neil Finkelstein dated December 9, 1998, to Mr Speaker Stockwell in which letter Mr Finkelstein sets out that argument.

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Hon Norman W. Sterling (Minister of the Environment, Government House Leader): After the settlement.

Mr Conway: The government House leader says, "After the settlement." The committee, I am told, was advised orally by Mr Finkelstein that this was his view and he made it very clear to the committee, apparently, along the way that that was the advice, and when he was asked to submit the opinion in writing, he did so.

I must say that Mr Sterling 15 years ago was extremely vigilant in his prosecutorial responsibilities in the René Fontaine matter; I will not say anything except that he was very vigilant, he was very aggressive in his prosecutorial duties in that respect. I can tell you, there were not inconsequential private legal bills to be paid by that honourable member as a result of the very tenacious work that Mr Sterling did in that matter —

Mr Bradley: Out of his own pocket.

Mr Conway: — out of his own pocket in very substantial measure.

I'm not quarrelling about that tonight, but I want to say, as someone who knows Mr Sterling, who has worked with him for almost 20 years, that I found it incredible to believe that someone of his experience and of his parliamentary and legal background, as a senior minister of the crown, would walk into that committee a few days ago and together with the Minister of Transportation head the campaign to vote the money, notwithstanding the legal advice that had been tendered to Mr Speaker and other members of the committee. That is a very material point, as far as I'm concerned, in this matter.

I repeat: It is absolutely clear to me, on the basis of what I have seen and read, that the issues at dispute between Mr McLean and Ms Thompson were of a private nature, of a private matter. It is not at all clear to me what possible aspects of that private conduct had to do with the public's business — a private matter between private individuals that may very well have ended up in court, as so many private matters do, to be decided in court or at mediation or at arbitration by the parties, with some kind of assignment of cost. That the people of Ontario are being

asked in this case to pay nearly \$600,000, approximately \$130,000 of which represents the legal and related fees of the member for Simcoe East, is obviously a matter of deep and ongoing trouble and anxiety for honourable members on all sides of the House.

Now to another aspect of this. All of us talk to our electors, talk to our neighbours, and we hear from time to time, more recently perhaps — by “recently” I mean in the last five or 10 years — that the problem with the political class is that they don’t seem to want, as individuals or as collectives, to accept responsibility. Therefore, we’ve seen in the last number of years a growing movement in the community for a variety of mechanisms to more clearly hold members of Parliament, members of the Legislature, to account for what it is we do in the name of the public.

My colleagues have had some interest in debating — people like Mr Clement, the member for Brampton, for example, who has associated himself very clearly with the referenda mechanism. I understand that. I’m not a big fan of referenda, although I understand the impulse. People say, “How is it that certain measures, certain spending occurs, when most people I talk to tell me they don’t agree, they don’t approve?” We have heard, as I said earlier today, this very week the Premier of Ontario state clearly that he wants to legislate a more rigorous discipline around financial probity and the accountability of public officials as they spend the public’s hard-earned money. I have to tell you I don’t think there are very many reasonable people who in good conscience could argue against the hope and expectation the community would have that their trustees in Parliament, in the Legislature, at the school board, at the local council would to the greatest extent possible exercise the greatest and most careful diligence as they tax and spend the public’s money.

Every so often there is an appropriation that comes along that just leaves people breathless, and we’ve got one. I want to say there have been others in other parliaments, so in this respect the government members probably shouldn’t feel that there is anything unprecedented, although I can’t think of an expenditure quite like this, one where against such clear advice from such strong a legal adviser as Mr Finkelstein, a legislative committee decided to spend over half a million dollars on a private matter where there appeared to be no public interest, no public liability, little or no public obligation.

We find ourselves, all of us, part of an institution that sees its currency just debased and debased, discounted ever more. One of the reasons that happens is that occasionally we do it to ourselves. To make this bipartisan, it’s hard to have any sympathy for a Parliament of Canada which for over 10 years tolerated the outrageous, inexplicable, indefensible, impossible behaviour of one Senator Andy Thompson, a former leader of the Ontario Liberal Party. He’s one of ours, a blight on my party.

Mr Garry J. Guzzo (Ottawa-Rideau): You called it.

Mr Conway: The judge from Ottawa-Rideau says rightly, “You called it.”

I say that as somebody who —

Mr Bradley: You can’t be ecumenical with these people. They’re totally partisan.

Mr Conway: I’m going to be ecumenical, because we are all tarred with the same brush. How many of you were home on the weekend and literally assaulted by your best friends, who wanted to know, “What possible rationale is there for paying these bills in the McLean-Thompson matter?” It is absolutely incredible. It offends common sense, to use that wonderful phrase. It just does not make any sense. At a time when we are talking about more financial accountability, more financial discipline, we do this?

I say to my colleagues, this is our chance. This is our chance to say, “No, I am not going to put my reputation on the line for this.” There are lots of things that my government or my party does that I don’t like very much but that I’ll go home and sell because I think there is a broader picture, there is a greater interest than my personal or community or neighbourhood interest. But this? It is indefensible.

We can’t, any of us, explain it, particularly at a time when we are saying to people — I was out the other day trying to explain it to a family who is putting a loved one in a health care facility where there was going to be a new copayment of something like \$1,500 or \$1,800 a month. I spent a fair bit of time explaining to people why that was so and how it was necessary, in at least the view of the department and of the government.

We tell students: “You’ve got to pay more. We want tuitions. We don’t like it, perhaps, any of us, but we’re going to raise your tuition from wherever it was to a new level because you’ve got to pay more. You can’t expect the government to pay as it has paid in the past.”

We tell farmers even with the aid package, “You’re going to have to do more with less.”

We’ve told municipalities, “It’s tough, but there is simply going to be less money.”

I won’t even get into the question of people who depend on governments like the provincial government here in Ontario for income maintenance and other kinds of support because they simply do not have the financial wherewithal to provide for themselves and their families. Boy, we told those people that their entitlements were going to be reduced, and reduced sharply.

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Now, we do all of that and we say to one of our own: “There’s a different rule for us. We’re going to find over half a million dollars to settle a case that is a private matter, apparently, between two individuals and we’re going to pay the money without any regard for the advice that our own lawyer has provided.”

I just don’t see where that takes us. Talk about credibility gap. Talk about hypocrisy. That’s why this issue has caught fire a bit, because everybody can understand it. Everybody can read the paper and go: “What is this? Nobody pays my legal fees for my private business or other issues,” and certainly no government has ever offered to pay over half a million dollars for this kind of settlement, on these kinds of allegations. The average

citizen, the average taxpayer, hears the promise of greater accountability and more discipline and at almost the same time, in the same breath, at the same place, in the same week, sees this?

Colleagues, if we keep doing this, our reputation, our credibility for some admittedly difficult messages we have to carry to people will be discounted even further. I said at the outset and I will repeat now: I have a great deal of sympathy for anyone, whether they're in this Legislature or elsewhere, who find themselves with large and unexpected bills.

We had a colleague in the last Parliament, the former member for Wentworth North, Mr Abel, who took his son, I believe to a hockey tournament someplace in upstate New York —

Mr Gilles Bisson (Cochrane South): Skiing.

Mr Conway: — a skiing excursion to upstate New York. As I recall, perhaps not sufficient out-of-country insurance was taken, the young lad had an accident and young Mr Abel was left with medical bills of, what, \$30,000? It was huge.

Mr Bisson: More than that.

Mr Conway: It was more than that, you're right.

A general subscription was taken in this place and elsewhere to assist a very fine member with a terrible tragedy, one he didn't plan for. In that case it was a young boy; it was a really compassionate argument. I don't remember anybody standing up and saying, "Here's the bill; it should be paid for entirely by the public." If anybody had done it, it would have taken a pretty doughty soul to say, "No, no, no." But nobody went to any legislative committee that I'm aware of and said, "Here's a bill for \$30,000 or \$40,000 or \$50,000 worth of medical expenses." A lot of very good private fund-raising was undertaken both in the Legislature and back in Hamilton-Wentworth to assist the family with that terrible tragedy.

I don't like the fact that there are substantial bills and costs here for either party, but it is absolutely clear that it's not the business of this Legislature to be voting money to pay those bills, particularly when there was no public business at issue here. So I say to the House, as a collective, if someone wants to start a legal defence fund, so be it. There are a variety of mechanisms, we all know, to assist someone or some group that has sudden and substantial unexpected bills. But we cannot and we should not and we must not stick the taxpayer with this bill. That is simply not acceptable, and never less acceptable than at this time in the public life of this Parliament and province, especially when one thinks about the argument that is being advanced by the current government with respect to what it is the public should be paying for and not paying for.

I can't imagine that there are honourable members in this chamber who disagree with that argument. I don't want to dwell at too great a length on another aspect of this, but it is a fair point: This decision appears to have been made by, among others, two ministers of the crown, one very senior minister, the senior minister in the government, Mr Sterling, and the Minister of Transportation.

Mr James J. Bradley (St Catharines): And an aspiring minister.

Mr Conway: I don't want to deal at great length with the member for Nepean. I was probably a little uncharitable last night, and I apologize for being so caustic so late in the evening. But I want to make the point that in my experience, and I've spent some time on that Board of Internal Economy, it is absolutely inconceivable that any cabinet minister ever goes to a Board of Internal Economy with that kind of an issue not having previously discussed it with the Premier's office.

It may have happened here. I can't, obviously, prove it. All I know is that in my experience a decision of this kind would not for a moment be considered and made by a minister without someone discussing the matter with the Premier of the province or his political designate. It just offends everything I know about my experience around here to be.

Mr Joseph Cordiano (Lawrence): Especially this government.

Mr Conway: Well, I can't speak to what went on. All I know is, in my own time around that board it is just — I wouldn't easily offer such an opinion because I quite frankly would expect Mike Harris and Ernie Eves, with whom I served on the Board of Internal Economy, just to laugh me out of the place. On a case of this sensitivity, that I would come as the senior cabinet minister, the government House leader, and say, "Oh, I'm just here as a free agent; I have discussed this with no one at the cabinet," is laughable. I said last week, I repeat now: That is, in my experience, I respectfully submit, a laughable fiction.

But I come back to the main point. Honourable members on all sides, most of us private members, are being asked now to give our assent in the passage of Bill 96 to a decision that was largely authored by cabinet ministers. I just don't think we should do that. I think that is an unfair request of senior ministers like Mr Sterling to make of private members in the House.

It was said earlier this afternoon by my friend the Minister of Education that all sorts of opportunities were available to members to discuss and debate this elsewhere. I respectfully suggest to the Minister of Education, that in this case that is simply not true, because we learned just a few days ago that on the initiative of ministers Sterling and Clement, the board, on division, passed a motion to pay the accounts. I think that was done within the last seven days.

As honourable members who were not present at that legislative committee, we had no opportunity to debate that. We have an opportunity now, because of course that appropriation comes to us in the name of this supply bill. That's what a supply bill is. This is the freight train that carries all of the express in terms of spending across all programs in the government of Ontario, including the legal fees being paid to Mr McLean in the so-called McLean-Thompson affair.

I simply want to say that this is the first proper opportunity we've had as a Legislature to deal with this, to pass

our judgment, to say whether we think, as the member for Oxford, or as the member for Brant-Haldimand, or as the member for Hastings-Peterborough, or as the member from Eglinton-Lawrence, or as the member from Renfrew or as the member from Ottawa Vanier — this is our chance to say to the people out there whether we approve or whether we disapprove. Make no mistake about it, that's what this debate and what my amendment intends to do.

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Let me say, having been in some very difficult, miserable corners myself as a government member and cabinet minister, that there is without a doubt a greater ease in talking theoretically about accountability and responsibility than there is in acting on the spot with a specific concrete example in that regard. By the way, I always think cabinet ministers have a tougher job, obviously, than honourable members in the opposition or on the back bench because they bear a significantly additional executive responsibility. But that doesn't excuse us from our responsibility.

As Erskine May reminds us, "It is fundamental to the duties of Parliament that we grant supply." Her Majesty's government only operates with our approval and nowhere is that approval more central than the spending of money. That is what the fight about responsible government that you learned about in public school was all about.

Those old cliques, the Château Clique in Lower Canada, the Family Compact in Upper Canada, operating as though they had no responsibility — and they didn't. They weren't responsible to anyone, least of all the people who paid the taxes. We changed all of that 150 years ago and wisely so. That's what we do when we vote supply.

I would not stand here tonight and offer a variety of amendments on various appropriations that have been well and truly debated in committee and elsewhere in the community, but my difficulty here with this appropriation is twofold: One, it is extraordinary and unusual in that it commits very substantial public monies to the settlement of a private matter against the express legal advice retained by the people's representatives.

Secondly, as I listen carefully to my friends around the chamber and outside, I can't find very many people who think this particular appropriation is a good idea. As a matter of fact — and I will be careful and prudent — I find a number of members on all sides who are increasingly incensed that they are being asked to vote this money. I think that's healthy.

I say, is there something we can do? We can't walk out of here and go home to Pembroke, Goderich, Madoc or St Catharines, and say, "You know, my hands were tied. I had no choice," to use John Turner's famous ill-fated phrase of 1984. We have a choice, we have a duty and, my friends, we have an opportunity, because the spending bill is before us this very day.

I said earlier today, and I repeat now, I would be very happy to have the government House leader or the Minister of Finance stand here and say, "You know, we've listened and we're not happy." Clearly, the government is

not happy. Another sidebar for this is to hear the Premier say how upset and angry he was that this decision was taken and then to realize it was taken and driven by two of his own colleagues at council.

This wasn't Peter North coming in as the independent member from Elgin or it wasn't the ghost of some long-distant member from some far-flung part of the province. This was done in the main by two of the first minister's colleagues, and the most senior colleague of all, Mr Sterling. Again I say to myself if you're out there in the public you think: "What is going on there? I know there's an arcane world in Parliament, but surely somebody must be responsible for something."

The ministers are responsible for their duty, but I say to all members tonight, we too have our duty, and our duty in the matter of the second reading and the third reading of Bill 96 is to vote supply in the amount of \$53.386 billion for the overall expenditures of the Ontario government for the fiscal year April 1, 1998, to March 31, 1999, in which amount is contained approximately \$130,000 already allocated by the Board of Internal Economy for the payment of the legal fees of Mr Al McLean, member of the Legislature for Simcoe East, but not yet approved in supply by this Parliament. That's the rub.

The committee made the allocation, but Parliament must decide the final question, and in that respect we are in this matter of supply a court of appeal and a court of final settlement. Make no mistake about it, my friends, we have an opportunity, but we also have a duty.

In framing this amendment, I've tried to be as specific as I can be. I would hope that honourable members on all sides will think seriously about dealing with this. I am quite prepared, as a reasonable person, to hear people get up and say there is the counter-argument, and I'm sure there is a counter-argument. I just can't imagine that people did what they did without some plausible rationale. I haven't really heard it yet to the best of my knowledge or to my satisfaction, but I want to use this debate to give particularly Mr Sterling and Mr Clement, perhaps most especially Mr Sterling, an opportunity to make the case. Then, my friends, as a jury we decide.

You don't have to agree with me. You can simply say, "All things considered, I, member of the Legislature for constituency X or constituency Y, vote in the affirmative for this appropriation and I'm quite prepared to so tell my electors back in the constituency." That's what this is all about.

But you see, my friends, accountability and responsibility mean something. Most of us like the sound of it, but oftentimes we don't like the feel of it. To govern is to decide and we cannot, as individual members, on this matter particularly, hide behind the skirt of party discipline. In my view, this is not a party matter. I'll tell you, I can imagine confidence matters where you would apply the whip. You cannot have in our modern society a group of loose fish swimming in whatever school happens to be their fancy at the moment. But I think by any objective standard this is not a party matter. This is a matter for the House as a collective.

I say again, this House, in recognition of its central responsibility on the voting of supply, should meet that challenge and accept its responsibility. That's why I want there to be a vote, so that people in Vaughan-Aurora or people in north Renfrew who have an interest will be able to say: "You know that Conway and Palladini, they took a stand. I mightn't like it, but they took a stand. They did not run from a matter that I care about."

Again, as I said earlier, people are going to care about this because they can understand it. This is so easy to understand: "The Parliament voted over half a million bucks of my public money to settle a private matter between two individuals who, according to the lawyers involved for the legislative committee, had no obligations and responsibilities and liabilities attached to the government." People just say, "That can't be so." They want some accountability, and they should have it.

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There are other things in this bill. I can tell you, my electors want me to talk, as I have to some degree earlier, about the fact that contained in the supply bill is an allocation of \$11.657 billion for education and training, but there is no money in that allocation for a rural and remote grant to the Renfrew county public school board. They say to me: "How can that be possible? How is it possible that the public school boards in Kingston, in Belleville, in Lindsay and in North Bay get anywhere between \$1.5 million and \$3 million out of that appropriation for rural and remote purposes and the Renfrew county public school board gets nothing?"

The largest county in the entire province, running almost 200 kilometres northeasterly from the town of Arnprior to the hamlet of Deux Rivières, and almost 140 kilometres from the hamlet of La Passe on the Ottawa River, southwesterly to the Hastings line, west of Combermere, 95,000 people scattered across 8,000 square kilometres, and they're not rural and remote? The North Bay-Parry Sound school board gets nearly \$3 million out of that appropriation for rural and remote purposes — and good for them, they say in Deux Rivières and Combermere and La Passe, in Braeside and McNab and Beachburg and Wilno and Palmer Rapids and Round Lake — and we get nothing? How is it possible we've got a formula that does that?

I received in the mail today a letter from the chairperson, Mr Dave Kaiser, of the parent council at the Champlain Discovery school in the city of Pembroke, where I live. That's Mr David F. Kaiser, chairperson, Champlain Discovery school council in the city of Pembroke. He writes to Mr Johnson, the minister, at great length about, "How is it possible that you've got a rural and remote grant that pays almost \$1.5 million to public school boards in Belleville and Kingston and nothing to the public school board in Renfrew?"

What is more rural than Renfrew? What is it about North Bay, Belleville, Kingston and Lindsay that is evidently more rural than the largest county in the province? Mr Kaiser and many others that I represent, who send their children to the good schools of the Renfrew county

public school board, ask me, "How is it, Mr Conway, as our MLA, that you will vote for this appropriation without redress of that transparently legitimate grievance?"

Not many weeks ago I was at a cancer care meeting in the village of Barry's Bay, where I grew up, and I listened to patients, caregivers and other volunteers telling me about the almost epidemic of cancer we seem to be having in the Ottawa Valley and the enormous challenges that are facing particularly rural families. My friend is here from north Hastings, and he'll know of what I speak. Our regional cancer centre is in Ottawa, and I spent the better part of a day at the Ottawa Regional Cancer Centre a few months ago, to hear the kinds of pressures they face and the problems they've been having getting the appropriations that have been announced.

I've got the greatest of respect for my friend from north Waterloo, the Minister of Health, but she has said things in this House about appropriations that we will vote on in this bill that have apparently not flowed to the caregivers or to the institutions. I'm not going to harangue the poor Minister of Health unduly about that, but let me tell you, my electors want me to stand here today, and they say: "Conway, you tell those people in that Legislature that cancer care is a very real concern of people in the Ottawa Valley. We're concerned, for example, that there doesn't seem to be enough money to help these clinics provide the new anti-cancer drugs that make the life of a cancer patient in rural eastern Ontario, in the rural upper Ottawa Valley, just that much more bearable."

This supply bill raises some very powerful issues, and I want to say in conclusion that it all turns on our willingness to be what the Americans would say the framers of this British parliamentary world of ours imagine we would be: vigilant, diligent, honourable members who would try, in a sympathetic and sensitive way, to grant to Her Majesty's government the monies necessary to do the difficult work that governments often have to do to and, where reasonable and where possible, to grant the benefit of the doubt to the treasury bench. But when presented with manifestly indefensible expenditures, transparently excessive actions — and that, I submit to the House tonight, is what the Board of Internal Economy did the other day — I repeat, my private canvass of members on all sides leads me to conclude that a clear majority of this House does not approve of what the board did in our name the other day.

I have a lot of respect for my colleagues in this place and I have heard some fiery protestations in quiet back corners in the last few days. I think it is incumbent on us, not just for the public interest, which has to be our primary concern, but for our own integrity, for our own credibility — I don't know about you, but I am tired of walking naked in the wind of public controversy —

Hon Janet Ecker (Minister of Community and Social Services): Perish the thought, Sean.

Mr Conway: I say to my friend the member for Durham West, that is where we are on this matter. We stand before our electors and the taxpayers of Ontario literally naked of credibility in asking the taxpayers to pay this bill. I just don't want to be there. I just don't want to

stand, in the late days of 1998, having heard and having made my own speeches about financial rigour and financial discipline and parliamentary responsibility, and say to the good people of north Renfrew who have sent me here to be their trustee: "I know that you in the majority don't approve of this appropriation. I know that you know that I don't approve of this appropriation." You know, friends, I can tell you that a majority of honourable members on all sides agree with you that this is a wrong and improper thing to do.

As I resume my seat tonight, I submit for a final time a challenge that cuts to the quick of our duty and our responsibility. If we don't agree with what the Board of Internal Economy did the other day, let us stand in our places and reduce this appropriation of \$52.385 billion contained in Bill 96 by the amount, at a minimum, of the legal fees that have apparently been paid in the name of the honourable member for Simcoe East. I say, in conclusion, that to do anything less is a transparent dereliction of our parliamentary duty.

The Acting Speaker (Mr Jack Carroll): Questions and comments?

Mr Bisson: I listened to the dissertation on the part of the member for Renfrew North, which went on for a while. I'm always impressed by the detail and the history that he's able to bring into these speeches, but I would have much preferred to see the member deal with what are in my mind the real political issues, and not only the political issues but the fact of what we have going on here right now.

The fact is very simple: We have a former Speaker of the House who has been accused by a former staff person of sexual harassment. That person has gone to the Human Rights Commission and filed a suit against Mr McLean. As a result of that, we are being asked as members of this assembly, because Mr McLean hired lawyers to defend himself and ended up not going to court to settle, to approve by way of this bill the expenditures of hiring Mr McLean's lawyer.

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I ask a very simple question to the members of the House: What private sector employer do you know who would take the time to pay the lawyer's fees and the lawyer's bill of a member on their staff who was accused of sexual harassment? I ask you the question. I don't know too many private sector employers who would do so. In fact, what I would expect most employers would say is: "That is an action that is not condoned by our corporation. That is something that we do not accept. You shall defend yourself in court. You will pay your own lawyer, and if at the end you're found to be innocent, then you can maybe come back to us and talk about legal fees." But while the case is still alive and still before the courts, no employer would pay these particular fees and I am asking, as a member of this assembly, why should we, the taxpayers of the province of Ontario, have to pay the legal bill of Mr McLean for something that he should not have done?

Mr Bradley: I'm going to ask the member to comment upon the difference between how the gardeners around

here were treated by members of the Board of Internal Economy and how they wanted to treat the cleaners of this building and the members who are downstairs working in the restaurant as compared to how they want to treat one of their own government members.

I think I can recall the right-wing zealots on the Board of Internal Economy in that particular case, the same who are out in the hallway today to defend the indefensible, being happy to put the boots to the gardeners. These are people who are not going to easily get another job in our society. Some of the people who work in and around this building are disabled in some way or other, others do not have a command of the English language which would allow them to have the same opportunity as others to have employment, yet the YPCs, those right-wing zealots, were prepared to put the boots to those people: to the underprivileged, to those of very modest income, to those who aren't well connected to the powers of society. But when it comes to defending one of their own, they are large as life in the hallway to do the bidding of the Premier of this province to make sure that this matter is looked after before the election.

I find it very infuriating and totally unacceptable that we can treat the people at the lower echelon of our society in that way while the good old boys are treated in a different way.

Mr Wayne Lessard (Windsor-Riverside): I want to commend the member for Renfrew North for his inspiring contribution to the debate this evening. For one full hour he talked about some of the important issues that we as a Legislature need to deal with. I believe one of the most important functions that we address here is the expenditure of taxpayers' dollars. That was a great part of the platform of Mike Harris and his taxfighting Tories in the 1995 election. He said: "We are going to fight higher taxes. We're going to be a more responsible government. We are going to make sure that every dollar that gets spent by us, those hard-earned dollars, is going to be accounted for and is going to be well spent."

In fact, he made this pledge that he was going to come in with balanced budget legislation, which he did earlier this week. He came in and gave a speech on Monday and said this legislation "asks simply that governments of all stripes treat taxpayer dollars as carefully and as conscientiously as they would their own, and that they not be allowed to spend their way into debt" and increase taxes for their spendthrift ways.

It's interesting to note that the Mike Harris government would introduce legislation like this after they agreed to this outrageous settlement that is going to pay \$130,000 of the legal costs of one of their good old boys, Al McLean. Far be it from me to not defend lawyers who are going to be able to bill outrageous amounts and expect to be paid, but they shouldn't be paid through taxpayers' dollars.

I am going to end my remarks at this point and give the member for Nepean, a member of the Board of Internal Economy, two minutes to respond.

Mr Cordiano: I wanted to comment on the very fine speech, in fact one of the finest speeches I've heard in

quite some time in this House, from the member for Renfrew North. I say that because I think he spoke about what really matters in this House. What really matters is the integrity we should all bring to this place. I can't think of a more important matter that's ever been before this House than the matter that we're dealing with in the Al McLean case.

He spoke about how each and every one of us should remember that we are charged with a very important responsibility, and that is to remember that when we deal with matters that are as important and as serious as this, we should leave the partisanship aside. We should rise above that. Why is that important? Because, in all earnestness, this matter deals with fairness, the question of justice, and how we treat one of our members and how that's going to be viewed by Ontario citizens.

How we dealt with the workers around this place is that this government just let them go out the door without any questions asked: the restaurant workers, who were sacrificed by this government, the gardeners. This government has not dealt with those people in the same fashion, with the same degree of fairness as you would like us to believe you're dealing with one of your own colleagues.

Nothing in this matter can be said to be equal to what you've done in terms of other matters. There's no justice in this whatsoever.

The Acting Speaker: Final comments, member for Renfrew North.

Mr Conway: I simply want to conclude the remarks by thanking my colleagues for their observations. It is a matter of fairness. It is a matter of balance. It's a matter of integrity in the sense that we've got to be seen to be applying to ourselves the same standards that we're applying to the community, most especially that we're applying with rigour and regularity to some of the most defenceless people in the province of Ontario.

Leslie Frost, who was probably one of the most successful and certainly one of the most esteemed politicians in 20th-century Ontario, used to say with great conviction and great wisdom that he tried to see the public issues that confronted his world as you'd see them from a barber's chair in Lindsay.

Can you imagine, I say to my friend from Belleville or the judge from Ottawa-Rideau, what this issue looks like to someone sitting in a barber's chair in Westboro or in Lindsay? Can you imagine? And you can, because you walk the walk like the all the rest of us and you hear what people are saying.

The difference today over 10 and 20 years ago is that there is a new standard of accountability. We are judged, all of us today, whether in the Parliament of Canada or the Legislature of Ontario, by a different and I believe a tougher standard, especially around the accountability for the way in which we spend public money.

Someone also said that politics is at once the most noble of the arts and the most soiled of professions. We have soiled our reputation with that appropriation. I want to correct that by virtue of the motion that I will table in the committee later this evening.

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The Acting Speaker: Further debate?

Mr Bisson: First of all, I want to say at the outset, for those who are listening, that we are debating an interim supply bill, Bill 96. An interim supply bill, just so people know, is a bill by which we authorize the expenditures for all the actions and activities of the province of Ontario, everything from the Ministry of Environment to the Ministry of Natural Resources, along with the Board of Internal Economy, which is the board that is charged with overseeing the expenditures of the Legislature of Ontario.

Some of you would know in this Legislature, I would hope, that the budget of this Legislature, by way of the Board of Internal Economy, is some \$103 million, to pay everything from the salaries of the members, the staff, the building, all the upkeep needed to keep this Legislature going.

What people need to understand is that those dollars and how we spend those dollars are arrived at by way of decisions made at the Board of Internal Economy. The Board of Internal Economy is made up in the following way: There is the Speaker, who chairs the board, then there are four government members and two opposition members.

You don't have to be very good in math to figure out that all the votes at the Board of Internal Economy are carried by the government. Why? They've got four members on that side and we have two members on this side. As many times as I do the math, four votes against two means I'm going to lose.

What happened in this particular case is that the Board of Internal Economy — not the members on the opposition side, neither Marion Boyd, the representative for the NDP caucus, nor Mr Gerretsen, the representative for the opposition caucus, and not the Speaker of the House, the chair of the Board of Internal Economy, but the four government members across the aisle — decided they were going to pay hush money to make sure that Mr McLean didn't speak out of turn, I think. I don't know that for sure, but I presume. Second, as Marion Boyd, the member for London Centre, has raised, they wanted to make sure that they took care of one of their good old boys.

I think it is really telling of what this government's all about, what the mettle of this government is all about, when four good old boys walk into the Board of Internal Economy and say: "Al, don't worry, we're with you. We will use our majority to make sure that nothing happens to you and we'll pick up the cost of your lawyers for what was a sexual harassment case against your actions when you were Speaker of this House."

Mr Len Wood (Cochrane North): And the private detectives.

Mr Bisson: Well, we're going to get into that.

I think we need to point out who the members on the Board of Internal Economy are. There are four government members, starting with the parliamentary assistant to the Minister of Finance, Mr Baird, from the riding of Nepean. The others are the government House leader, Mr Sterling; the member who is the head of Management

Board, Mr Hodgson; and the third cabinet minister on that board is the Minister of Transportation, Mr Clement.

It's interesting that these four good old boys went into the Board of Internal Economy and voted against the wishes and against the advice of the Speaker and the two opposition members to pay the lawyers' fees of Mr McLean in the lawsuit by Ms Thompson against him in regards to the sexual harassment charges.

Not only did the government members — Mr Baird, the government House leader, the Minister of Transportation and the Chair of Management Board — not listen to the two opposition members and the chair of the committee, who is the Speaker, Mr Stockwell; they didn't listen to the lawyer who wrote a brief to the committee that said the Legislative Assembly of Ontario has no liability in this matter and does not have to pay.

So you have to ask yourself the question, why in heck do these four government members, members of the cabinet of Mike Harris — these are not just a couple of flunkies from the backbench of the Conservative government.

Mr Lessard: They're hand-picked.

Mr Bisson: They're hand-picked members of Mr Harris's cabinet and one parliamentary assistant, Mr Baird, from Nepean. Why did they go to that committee and decide they're going to pay these particular lawyers' fees?

I think it speaks volumes. I think it says to what extent this government does not take seriously women's issues in this province and how they view matters of sexual harassment.

Most private sector employers out there and I would argue most public sector employers in this day and age, in the 1990s, have adopted fairly progressive policies when it comes to sexual harassment, and it's very simple: that that kind of activity and that kind of behaviour are not accepted behaviour or activity within the employment of the private sector employer or the public sector employer. In cases where sexual harassment has taken place, most private sector employers and, I would say, public sector employers have policies in place that deal with how you deal with such an issue when a complaint is raised.

I have not seen one of these policies yet that says the company, the private sector employer, will pick up the legal fees of the complainant or the defendant. I have not seen one, and I challenge any member of this assembly to come back and show me any employer that does that. I would guess that there would probably be no employers or very few employers that would be involved in any way, shape or form when it comes to paying the legal fees of somebody involved in a sexual harassment case.

The employer will say, "We take this matter seriously." If there are facts that are investigated and found to be true, there probably would be dismissal of the perpetrator. There would probably be counselling offered to the victim. Then the individual who committed the aggression would be responsible for defending themselves in either a criminal or civil court case, whatever happens to take place after.

Mr Len Wood: That's why they call this hush money.

Mr Bisson: This is exactly where I'm coming from. The member for Cochrane North says this is why we call this hush money. That's exactly the point. Most private sector employers wouldn't touch this with a 10-foot pole, as far as paying legal fees is concerned, because they want to do the right thing. They want to make sure that at the end of the day they send a couple of very clear messages to their employees, the first message being, "This kind of action is not tolerated," and if this action is reported within the employment of this particular employer, "It will be dealt with forthwith and we do not stand for this kind of behaviour."

What does it say about a government which happens to be one of the largest employers in the province, if not the largest, when members of the cabinet, members of Mike Harris's cabinet, hand-picked by him to sit at the cabinet table with him, who are charged by Mike Harris to go sit at the Board of Internal Economy, make a decision to pay the legal fees of one of their good old boys?

It tells me that this government does not take the issue of sexual harassment seriously. That's part of what really bothers me here, because most — I would say all; I'm not even going to say most any more — all private sector employers would never put themselves in this position. So you have to conclude one of three things: (a) this government is totally incompetent and, quite frankly, stupid in paying these fees, (b) they don't take the issue of sexual harassment seriously, or (c) a combination of (b) and that they want to stick up for one of their good old boys.

Or there might be a (d), and that brings me to the point the member for Cochrane North has raised. That is, does Mr McLean have something over the government? I don't know. I raise the question. I'm not saying it's the case. But I have to ask myself, why would a government, which supposedly says they are the common sense government of Ontario — they ran under that label in 1995 — put themselves in the stupid position they are in and then stand there with the cabinet defending what their good old boy has gone and done?

It's either that they're totally incompetent or some of the other issues I've raised, or quite frankly, maybe Mr McLean has something over somebody else. Is this hush money? Is this an attempt on the part of the government of Ontario, by way of its majority on the Board of Internal Economy, to say, "We don't want Al McLean to spill the beans on somebody else, so therefore we'll pay his legal fees and everything will just go away?"

I'm telling you, you cannot deal with issues of sexual harassment in that way. In a modern society such as we have today, issues of sexual harassment have to be dealt with seriously, openly and expeditiously. That is not what this government is doing.

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I've watched with interest this last week or so, when this issue has been raised in the House on a number of occasions, the answers on the part of the government. Question after question has been placed by members of this assembly on the opposition side, by our leader, Howard Hampton, and others about why the government is

doing what they are. It's really interesting to watch the responses of some very capable ministers. I personally don't agree with the philosophical leanings of people like Mr Johnson, the Minister of Education, but I believe him to be an honourable man and I believe him to be a fairly competent individual. I look at people like Mr Eves, who has been in this Legislature for a number of years, more than 20. Again I don't agree with his politics — I've never agreed with the politics of Ernie Eves — but I think he is an honourable man, I know he's an honourable man, and I know he's a very capable individual, maybe one of the more capable ones we have in this House. I see them twisting in the wind trying to do as best they can in defiance of their friend Mr Al McLean, and it's got to be a pretty uncomfortable position to be put in.

I'm asking myself the question: Why would rational human beings, members of this assembly, who know their job and understand how this place works and understand the roles and who are, quite frankly, good politicians, put themselves in the position of having to defend something that's so indefensible? I can only come to the conclusion that either Mike Harris has said, "We're sticking up for these good old boys and I'm not hearing anything of this any more," or it comes back to that this is all about hush money.

I've listened to some of the answers. The one that really gets me is Mr Johnson, the Minister of Education, who today on a number of occasions was asked the question by our leader and also by our critic Mrs Boyd from London Centre, "Why is it that your members on the Board of Internal Economy have done what they've done?" He gets up and responds: "You have to understand that the Board of Internal Economy has a history and it's been there for a number of years. It's a matter they deal with and I don't know anything about it."

Well, excuse me. First of all, it doesn't respect the intelligence of the opposition and the media and the public, who know that the Board of Internal Economy is controlled by the government majority. You can try to spin that any way you want, Minister of Education, but at the end of the day it's your majority on the committee that made the decision.

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: This is a very important presentation and I don't believe there's a quorum present. Could you check?

The Acting Speaker: Could you check for a quorum, please?

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: Member for Cochrane South.

Mr Bisson: I say again, I've listened to the responses by the ministers to questions put forward by our caucus and the opposition caucus in regard to this matter and I find totally inadequate the responses we've gotten from the cabinet of Ontario on this matter.

For example, at one point the question was asked — I believe it was by the member for London Centre, Marion

Boyd from our caucus, who said she wanted to have the matter taxed. In other words, when you get a legal bill and you as a citizen feel that the charges on that bill are higher than you think they should be, you have an ability to get the bill assessed — in other words, we call it an ability to tax the bill — so you can look at the bill in detail, determine what the lawyer charged for what and what the rate was, what they charged for, how long they worked and to satisfy yourself whether the lawyer charged adequately: Did the lawyer overcharge? Were there things charged that shouldn't have been charged? You're able to look at this in some detail.

I listened today to questions put forward by Marion Boyd, and the response from the Minister of Education on that particular matter was very, to be kind, bizarre, because he was trying to make us believe that his government would have liked to have seen it taxed but somehow or other the board wouldn't make the decision to tax it, that it was a decision of the board and there's nothing he can do about it.

Excuse me. You've got a majority on the other side of the House. You also have a majority on the Board of Internal Economy. If your government wanted to have the bill taxed, why didn't the Conservative members who were on that committee, like Mr Baird, say, "Yes, we will have the bill taxed" when Marion Boyd put forward that suggestion at the Board of Internal Economy? The response we get from the Minister of Education is, "If you wanted the bill taxed, why didn't you ask?" The response that we get from Marion Boyd is, "I asked, and it was your four members on the committee — Mr Baird, Mr Hodgson, Mr Clement and the government House leader — who said, 'No, I don't want to have the bill taxed.'"

Do you know what was really bizarre? I was listening to the scrum outside here after question period. Mr Sterling, the government House leader, was in a fairly large scrum, the way I would describe it, and somebody asked him a question — I don't know what journalist it was — around the issue of the taxing of the bill. He said, "I would have liked to have seen the bill taxed." If you wanted it taxed, why didn't you agree with Marion Boyd when she suggested that way before this matter became public in this House?

Interjection.

Mr Bisson: The member for Nepean says, "Marion Boyd never asked for this bill to be taxed." Is that what you're saying? I dare you to stand in this Legislature and debate the point, because I trust what Marion Boyd has said, because she had reported that to our caucus some time ago, way before this issue ever came to this House. It was you, Mr Baird, and the Management Board Chair and the Minister of Transportation and the government House leader who said the bill should not be taxed. Why? Because you wanted to make sure that —

The Acting Speaker: Member for Cochrane South, there are a couple of issues. I'd appreciate it if you'd address your comments through the Chair and I'd also appreciate it if you would do what we normally do in the

House, and that is refer to people by their riding rather than by their name.

Mr Bisson: Mr Speaker, I listen to your sage advice but, as you know, the rules also allow me to address a member by their cabinet position as well, and that's exactly what I will do.

The point I make is that when Marion Boyd asked to have the bill taxed it was the four members on the government side of the Board of Internal Economy who refused to have the bill taxed. Why? I only have to assume it was either (a) they were trying to hide something, (b) they were trying to protect one of the good old boys, (c) it was hush money or (d) they're totally incompetent. None of the above is acceptable in the province of Ontario. It is not acceptable in the private sector; it's not acceptable in the public sector.

I find myself in a very awkward position, as a member of this assembly, having to deal with this particular matter. You would hope they would have dealt with this at the Board of Internal Economy — that's where it should have been dealt with — but the board, because of the government majority, failed to deal with this. So here we are.

We are now asking, by way of this particular debate, through this interim supply bill, that if the government is saying on the one hand here in the House and outside the House in scrums that they would like to see the bill taxed, that they think this issue has not been properly dealt with — I'll get to that a little bit later, the comments from Mr Harris, the Premier, who says he thought this thing wasn't dealt with very well — you will have an opportunity to vote on that when we get into committee of the whole when it comes to this particular bill.

Why don't we pass a motion in this House that says we will reduce by an amount of money equal to Mr McLean's bill the total expenditures that we find within the interim supply bill? That way, the Legislature will be able to deal with the matter the four government members were not able to deal with for whatever reason. We'll have that opportunity when we get into committee of the whole. That's one thing. I think that's probably not the way I'd like to deal with it. The easiest thing to do would have been for Mr McLean himself to say: "Hang on, boys. I've messed up big time. I did the wrong thing. I'm going to do what's right and I'm going to pay for my own legal bills." If he wants to go out after and raise dollars through the Conservative Party to have his bill paid, let him live with that. But why should the taxpayers of Ontario deal with having to pay his legal bills?

If Mr McLean is not prepared to do that, then I would at least hope that the Premier of Ontario could come into this House tomorrow and say, "I said that I was going to be a government that listens," something this government hasn't done in three and a half years. "I'm going to listen for a change. We messed up. We made the wrong decision at the Board of Internal Economy. I apologize to the members of this assembly for having put people in this position. I also apologize to the fair-minded men and women of this province who take the issue of sexual harassment seriously. I will make sure that the government of Ontario

does not, by way of the Board of Internal Economy, pay for the legal costs incurred in this bill."

If he's not prepared to do that because he feels his position is defensible, then I would ask that another suggestion be taken, one of the suggestions put forward by our leader, Mr Hampton, which is to refer this matter to a committee. You can do it in a standing committee of the Legislative Assembly, probably the best place to do it, I would think. Allow the committee to do the work of looking at the bill, of dealing with the issues and calling whatever witnesses they think they need to call to get to the bottom of this. I'll say, like our leader, Mr Hampton, has said, if you've got nothing to hide, why would you be worried about going before the committee?

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The point is, if the government is saying this is defensible — and that's what we seem to be hearing; the government ministers and some backbenchers of the government are saying their action to pay Mr McLean's legal bill is defensible — then go and defend it in a committee. Allow the matters to be raised within the committee in a public fashion, allow the bill to be looked at in some detail, allow the questions to be asked that need to be asked, defend your position and then be judged by the committee and by the people of Ontario.

When I think back, Mr Speaker, there have been precedents for that. I was a member of this assembly — you were not — back in 1990 to 1995. When there were allegations around one of our ministers having to do with the comments she had made at a cocktail party in Thunder Bay, members in the opposition then, the Harris opposition and the McLeod opposition, came into this House week after week and day after day and pressured the Bob Rae government to look into the matter of what she said or didn't say. I'll tell you what our government decided to do. We said, "OK, we will refer the matter to a committee." A committee of this Legislature was convened and it dealt with the matter in an open fashion. It wasn't easy for us as a government to go through, but we felt strongly that what she had done was not what she was being accused of having done, and we were giving her an opportunity to defend herself. We understand that as members of this assembly at times you can be accused of something that may not be based on actual fact. If that's the case, let's refer this matter to a committee.

If the government is not prepared to send this to a committee, I have to ask myself why. Are they trying to hide something, are they just stupid or incompetent, or does it come down to that they really believe in sexism, they really believe that those kinds of actions are acceptable in a modern society, and are prepared to protect one of the good old boys? That's certainly not where I want to go.

Mr Wildman: Or all of the above.

Mr Bisson: It's probably all of the above.

I don't think this government is doing anybody any favours, either in this Legislature or in the greater public outside, by taking the position it is. The precedent you're setting — I wouldn't say "precedent." The example you're

setting by way of your decision is very dangerous. I think it sends some very bad messages.

I come back to a point I made earlier in response to the member for Renfrew North. I want to come back to this because I believe it's important. I ask the Minister of Economic Development and Trade, who's in the House today, how many private sector employers do you know who, if they had an employee who was accused of having sexually harassed another member of the staff, would pay the legal fees of either party? I don't know of any. What would happen is that the private sector employer probably has a sexual harassment policy. They would say: "I take this matter seriously. Sexual harassment is not something that's condoned by our firm. We will therefore make sure a proper investigation is made."

Hon Al Palladini (Minister of Economic Development, Trade and Tourism): What do you take seriously? You take nothing seriously. You were a joke when you were in government.

Mr Bisson: Minister, are you trying to tell me that private sector employers would support the position of allowing sexual harassment to happen in the workplace? If that's what you're saying, you should not be the Minister of Economic Development and Trade, because the companies that I know, that I deal with, take this responsibility seriously. I think of companies like Falconbridge in my riding, Abitibi, Tembec. Never in a million years would they allow this to happen. They're corporate citizens who understand there's a responsibility not only to the shareholders but to the greater community in which they do business.

In the case of both of those employers, they're unionized and the unions themselves would have a say in this when it comes to the issue. I remember having to deal with such an issue when I was a member of the United Steelworkers. One of our members in one of our workplaces had sexually harassed a fellow employee. The person who was the aggressor, the person who had done the sexual harassment, had come to the union asking for support in representing him in order to defend himself against what he said were trumped-up charges. We brought that matter before the committee, before the general membership of our local union. I'll tell you what we did; I was there.

We said: "Brother, go to court and defend yourself. If at the end of the day you're found to be innocent, you have recourse, and that recourse is that, because it's a civil suit, you ask to have your legal fees reimbursed as part of the settlement. That's how you deal with this. You don't go to the local union and the employer asking to have your legal fees paid." I remember at the time he didn't like that particular answer, but it's the position our union took. In the case of the company in question, they certainly were not going to put themselves in the position of having to pay the legal fees of either.

I'm saying to the Minister of Economic Development and Trade, if you understand anything about business — and I know you understand, because you ran a business for years —

Hon Mr Palladini: You don't understand anything. Did you ever run a business? You're making somebody guilty. You don't know whether he's guilty.

Mr Bisson: You're saying I don't know. Is the Minister of Economic Development and Trade saying that companies in this province would allow sexual harassment to happen within their employ? Come on, I don't believe that for a second. The Minister of Economic Development and Trade has been in business for years. We all know him: he's our pal Al. He's a very nice man, he's an honourable member. Mr Palladini ran a business for years. I don't believe for one second, Mr Speaker, that the Minister of Economic Development and Trade in his own business —

The Acting Speaker: First of all, I'd like this little meeting to break up here so I can see the member as he's addressing the Chair.

Member for Cochrane South, I've asked you once before to not refer to people by their surnames. I'd appreciate if you'd use their position or their riding.

Minister, I'd appreciate it if you'd allow the member to have his say.

Mr Bisson: I'd just say that I know the Minister of Economic Development and Trade to be an honourable member. I also know that the minister ran a business for years within his own community, and did so successfully. I know him to be a competent business manager. I also know him to be a responsible individual. I don't believe for one second that the Minister of Economic Development and Trade, in his own private business, would pay the legal fees of any employee involved in a sexual harassment case while working for him. He nods his head no; that makes my point. I don't know too many business owners who would put themselves in that position. If it's good enough for the private sector not to do that, why should we in the public sector do differently and why should the taxpayers of Ontario be caught paying this bill, very simply put?

Mr Bradley: How about the gardeners?

Mr Bisson: The member for St Catharines raises a point that I think is interesting; a bit of a side issue, but I think it needs to be addressed. This government has taken zeal in attacking those people in our community of Ontario who are the most vulnerable. This government, with zeal, went out in its first month of being in government and reduced by over 20% the social assistance cheques for people on GWA and FBA. As a result, we are seeing now — my good friend Mr Cullen, the member for Ottawa West, came to the House today and raised two particular instances where people in his riding are suffering and their families are suffering as a result of the action of this government changing the social assistance rules.

I was at one particular meeting of the Board of Internal Economy where the government — I remember the member for Nepean was there pounding his fists on the table, saying: "Let's privatize the whole place. Let's get rid of all these high-paid employees we have at the Legislature and go out and hire a contractor, so he can stuff some money in his pocket and underpay the workers to do jobs that used to be done by well-paid people." If the member

for Nepean, the Chair of Management Board, the Minister of Transportation and the government House leader had the zeal to attack the workers of this assembly — the people who work on the cleaning staff, the people who are gardeners on the grounds, the people who are in the dining room and foodservices — if they had the ability to attack those people, I find it passing strange that the member for Nepean and others would see fit to support one of the good old boys. I find this whole matter extremely strange.

I'm going to leave some time, as I said at the beginning, for the member for Ottawa Centre — Ottawa West, excuse me; Ottawa Centre used to be one of our ridings.

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Interjection: We will again.

Mr Bisson: And we will again.

I'm going to leave some time in my comments for the member for Ottawa West, but I just want to say this in summing up: I want members of the government to understand where we in the opposition are coming from. We understand that being in public life is a difficult business. We're all members of this assembly, but we do ourselves no good as members of this assembly, in the greatest tradition of what this assembly is all about, to be put in a position of having to engage in such a debate.

I am proud to say that I am a politician, but you make it pretty difficult for "politician" to be a good word when you have this kind of stuff going on in the Legislature, where the government all of a sudden decides that it's going to pay hush money to protect one of the good old boys when it comes to a matter of sexual harassment.

I sympathize with Mr McLean, but if Mr McLean feels he is innocent, he has a recourse: He hires a lawyer. He gets the best that money can buy according to his own means, because I know Mr McLean is not exactly broke. He gets that lawyer to represent him to the best of his or her ability and then from there bring the matter to court. Defend yourself in a court of law. At the end, when found innocent, if he is innocent, at that point Mr McLean could ask that his court costs be paid as part of the settlement in the matter between him and Ms Thompson. Mr McLean chose not to do that. Instead, he ran to the taxpayer. He went to the Board of Internal Economy and said: "I want my bill paid. I want it settled."

It's a sad business we find ourselves in, and I only wish that the government of Ontario would get a bit of common sense and do what it is the taxpayers of Ontario want us to do and have charged us to do, and that is to be — I'm not crying; I've just got something stuck in my throat, believe me — serious about our business, to be responsible with the taxpayers' dollars and to make sure we do the right thing. In this particular case, it's to make sure that Mr McLean pays his own legal bills and, if he finds himself to be innocent, to defend that in a court of law and to ask for damages for his legal fees if this matter goes to court and he wins it.

Mr Alex Cullen (Ottawa West): We are debating tonight Bill 96, which is a supply bill. It's An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 1999. It

was a bill that was introduced just a week ago and here we are, in the second-last night of this particular session, about to be prorogued in two days' time, and we're dealing with a bill that covers some \$52,386,596,000.

As we go through this, we notice that we're involved with a government that is still running a deficit this year of some \$4.2 billion and that over the course of its three-and-a-half-year mandate has added \$22 billion to the provincial debt, increasing it from \$88 billion to \$110 billion. We look at the various expenditures that we find here under each of the ministries and we certainly find some things we could criticize this government about.

As a result of my by-election just a year ago, as a matter of fact, we know that taxpayers in Ottawa-West at least, to whom I'm responsible, to whom I'm supposed to be holding this government accountable for the expenditure of their tax dollars, have a very strong opinion in terms of this income tax cut which has cost the treasury so much money. They are saying to me that the price of the income tax cut, the Harris income tax reduction scheme, is not worth the closing of hospitals and the closing of schools.

Mr Guzzo: You're smarter than that, Alex. Come on.

Mr Cullen: The member for Ottawa-Rideau I think wants to defend the closure of the Grace Hospital, wants to defend the closure of the Riverside Hospital, wants to defend the closure of — is it Confederation High School, is it Merivale High School? — whatever high school the board is going to have to close because of this school closure formula.

I, on behalf of my residents, find it absolutely objectionable that we are here today debating a bill that would find us yet with more funding going towards financing an income tax cut rather than dealing with the needs of the community we have today.

I know that buried in these amounts is the \$47 million of taxpayers' money that this government is spending to put out propaganda to sell people on the rightness of their agenda, when people in fact find it extremely objectionable. I know that buried in this bill are the expenditures for Andersen Consulting, an American company which was given a bounty; it's a bounty hunter. You know how bounty hunters work. They're paid on commission. Bring in the fur, bring in the scalp, bring in the offender, and then they get paid. For Andersen Consulting, it's however many bodies they can cut off the welfare system, then they get their pay.

Here I am faced, here we are all faced, with those people in our communities — I just want to read the letter that went out to recipients on social assistance, who want to get off social assistance, who would love to have the jobs to get off social assistance, if they could only get the training, if they could only get the community support. It says here if you pay utilities, either hydro or gas, you no longer receive an automatic minimum amount. As a matter of fact, you'll have to pay the full amount.

That may make some sense, except that we know all of these people, if they're in private rentals, are paying more than their shelter allowance covers for their shelter, which

means this money has to be made up through their food money, through their utility money, through everything else, and this is being taken away from them.

If you live with parents, no matter how old you are, your eligibility and the amount you receive may change. If you want to read that, that means you get cut off. There was a case introduced this afternoon where a woman with a 10-year-old daughter moves in with her 80-year-old mother, who the doctor said needs care, and this woman is finding her benefits being cut in half to \$446 a month.

What will happen when these cuts come into effect? This lady will move out with her daughter in order to get the full entitlement, because there's no other way she can live, and her 80-year-old mother will be forced into a nursing home, which will cost the taxpayers even more. Both ends of the problem, which the minister has put into place, will end up costing the taxpayers more: more for social assistance, more on the nursing home side. Does this make sense from a government that's supposed to be based on family values, which seeks to break up values?

Then there was the case that I gave today about the constituent of mine who is on social assistance who has to look after his children. He has a joint custody arrangement. It says even here: "Cuts Hit Shared Custody Payments; New Welfare Regulation Reduces Benefits." This is not an isolated case. I myself am a person paying child support, and I do so gladly. My daughter is living in a loving family miles away from here. It's been going on for some 15 years, an excellent arrangement that's benefited her family, my family, my child. I have the wherewithal to do this. I have the ability when my daughter comes to visit me to put her up and to look after her, and her parents have the same thing.

But not if you're on assistance. Oh no, if you're on assistance and you're in a basement apartment and you've got three kids and you're trying to make ends meet, you're trying to get that job out there, and every second weekend your three kids come to visit you, oh no, the minister says you can't have that second bedroom, not at all. You have to go right down to the basic rock-bottom position. You can't look after those kids when it's your turn, only the custodial parent has that right.

Here we are trying to more effectively allow both parents to discharge their obligations. This was a system in place that there was no trouble with before, but the ministry ups and cuts it off. It is offensive. What we have here instead is another attempt to break up families and it's wrong.

We're dealing with a bill here, Bill 96, the supply bill, that seeks to authorize the expenditure of \$52.386 billion for all the ministries that we have here, including, of course, the Legislative Assembly.

I've been in elected politics for some 12 years. I spent six years on the school board where my ratepayers expected me to be accountable for over \$200 million worth of expenditures dealing with the education of their children and they would challenge me, "Why are you spending money on superintendents when we need special education?" If they didn't like my answer, they had a

recourse. They could look at the books, they had open access to the books. They could question me, we'd have public meetings. They could come to the budget meetings and they could challenge me, and we were challenged and we worked very hard to get the biggest bang for the taxpayers' buck possible.

I was elected to city hall, Mr Speaker, as were you; not the same city, I have to say. My city was the city of Ottawa, your city was the city of Vanier. But in my situation, as in your situation, we were responsible to the taxpayers for the expenditure of their dollars and the taxpayers could come and see our books, could come and challenge each and every expenditure that we made, whether it was for roads, for sewers, for parks, for whatever. The coffee account in the councillors' lounge, as a matter of fact, was a budget item, the mayor's car and chauffeur was a budget item, and we would debate these things in front of the public. We were responsible for over \$300 million worth of expenditures. That's the proper public process. That's making sure that the taxpayer's dollar is properly spent.

2130

When I got elected to the region, where I stayed for six years, we had \$1-billion budget. Again, each and every taxpayer could come forward and challenge us on our expenditures. I have to say to the members assembled here that the bulk of those expenditures were mandated by law through provincial legislation. We had to expend when there were social assistance cases, we had to make those expenditures and they took up the bulk, but the point of it is, we were responsible and every three years we went before the public and had to justify why we put the money towards public transit, why it went to the sewer account, why we didn't replace the water pipes that kept on freezing every year, as we tried to do, to replace them, etc.

We've heard a lot around this chamber about accountability dealing with an \$800,000 item. We stand here, we're debating the public's money. This is Bill 96, a government bill. One would think in the process of the debate that we would hear from the government side about the justification for these expenditures. Tonight we seem to be focused on one particular expenditure, although I've accounted for others — \$47 million for the government advertising, the \$180 million that's going to Andersen Consulting, and the list goes on and on.

We're focused on one particular point, which is the payment of not just the legal bills of a member of this House on the basis of a private matter between that member and that member's former employee, but also a settlement on top of that and legal fees on top of that, on all of which a committee of this House, dominated by members of the government, was given very clear, succinct legal opinions that the taxpayers of Ontario were not obligated to pay any of this, simply were not obligated to pay any of this amount of money, that it was a private matter between the member for Simcoe East and his former employee.

If we are to follow the procedure of accountability — we ask trustees to be accountable. The government on the other side has in this legislation that those books be open

and that any budget debate has to be done in public. There's no in camera session. Everyone can see and hold accountable those trustees for all those boards across Ontario who have that responsibility of spending the taxpayers' money. I agree with that test.

I lived those years, I did that job and I have to say that the ratepayers in Ottawa West saw fit to re-elect me; similarly at the municipal level. We have over 600 municipalities across the province here that have responsibility for the taxpayers' dollars and this Legislature mandates that they must conduct their business in an open manner, that they must be held accountable for the taxpayers' dollars, public votes, and that there's an ability to scrutinize those books.

Why on this matter are we not able to find out the details of this particular expenditure? Quite frankly, when the member for Renfrew North comes here and says that there should be an ability to hold people accountable, that there should be a vote, I should hope so. The government requires it of each and every trustee in this province. The government requires it of each and every municipal councillor, regional councillor, county councillor in this province. Then why can it not be done here for the members of this provincial Parliament who are elected to represent the interests of their constituents and to be held accountable for the expenditure of their tax dollars?

This is taxation with representation. This is accountable government. It confounds the principle of responsible government when we have members of a committee, the Board of Internal Economy, of which there is one member from the New Democratic Party, one member from the Liberal Party and four members from the Ontario Progressive Conservative Party, the government party —

Mr Bradley: Name names.

Mr Cullen: I am challenged to name names, and I'm more than happy to do so, of course. They are the House leader, who we know as the Honourable Norm Sterling; the Chair of Management Board, who we know as the Honourable Chris Hodgson; the Minister of Transportation, who we know as the Honourable Tony Clement; and the member for Nepean, who we know as John Baird. These are the members. The other members of the Board of Internal Economy, I hasten to add, are the member for Kingston and The Islands, Mr John Gerretsen, and the member for London Centre, Marion Boyd. At least two of those six members asked for an accounting of this expenditure.

Mr John R. Baird (Nepean): Wrong. I have the minutes right here.

Mr Cullen: I'm sorry. The member for London Centre has placed it on Hansard that she has asked for that accounting. The member for Nepean says it's otherwise. I hope the member for Nepean will enter into this debate. The government will have time to speak to this matter. The bill is before us here; the expenditure is before us here. We want to hear a clear accounting, because every time we ask the government side, we get stonewalled; the public gets stonewalled. As a matter of fact, we hear charges of mishandling of this file by the member for

North Bay. "Who's the member for North Bay?" you ask. The member for St Catharines is a little slow on this. The member for North Bay is the Right Honourable Premier of Ontario, Michael Harris.

He said, both in this House and outside of this House, that this matter has been mishandled. So why didn't the government representatives on the Board of Internal Economy agree to that accounting of this case? Even one of the parties to this action, the member for Simcoe East, Mr McLean, has said it has been mishandled. If this is so, we are talking about \$800,000 of taxpayers' money, for which the Board of Internal Economy got a legal opinion — more than once, mind you; more than one legal opinion — that said there was no responsibility on the taxpayers' part to pay for these amounts, none whatsoever.

One has to ask oneself why, then, we are debating this matter. Because we cannot get a clear accounting. Why is it that we can't get a clear accounting for the taxpayers' money, \$800,000? For heaven's sake, at the municipal level, at the school board or regional level, every other level of government in this province, for any kind of expenditure of this amount of money, the taxpayer would be saying: "Why did you spend this money? Justify it." That is our responsibility that we as elected representatives of our constituents hold. We are to be held accountable for their dollars. That's why we have these bills; that's why we have a process; that's why we have debate; that's why we have question period: to challenge the expenditures of these taxpayer dollars.

The government cannot run and hide, and say, "We are responsible for government expenditures, but these are not government expenditures, these are Legislature expenditures." Yet when we look at who controls the Board of Internal Economy, the four members who dominate, who moved the motion to say we should pay \$800,000 of taxpayers' money, it is the four members of the government. It is indeed the House leader, the Chair of Management Board, the Minister of Transportation and the member for Nepean, all of whom ran on more accountability for taxpayers.

I can remember well reading the material that came. As you know, I would not see so much of the House leader, because his riding is outside, near an area of Ottawa-Carleton; I certainly would not be seeing very much of the Chair of Management Board, because his riding is in northern central Ontario; nor the Minister of Transportation, because his riding is in Toronto. But I certainly read avidly the material that was published by the Conservative candidate in Nepean, who now sits here as the member for Nepean. That is Mr Baird. What did he say in his material? That he would ensure that every tax dollar would be spent on proper programs that the taxpayer wanted and would not be spent on inefficiency and waste.

2140

Mr Tony Ruprecht (Parkdale): What does he say today?

Mr Cullen: I'm being asked, "What is he saying today on this particular expenditure of \$800,000 of the tax-

payers' money?" We hear nothing. We do not hear him speak to this matter.

Mr Baird: \$800,000? Going up. It's inflation.

Mr Cullen: We hear him heckling on the other side, but if the member for Nepean has so much to say, heckling from the other side, let him use his right when the rotation goes around, to stand up and speak clearly and give an accounting on this.

Our party came forward and placed a motion. We asked if the government would support a motion here in the Legislature asking Mr McLean to reimburse the taxpayers of Ontario for the full \$130,000 of his so-called legal expenses that the public had no business paying in the first place. We asked the government if they would support that motion. They said no.

Earlier, the member for London Centre also asked for unanimous consent to move a motion. I'm searching for it. Here it is. The member for London Centre stood up in this House and sought unanimous consent for a motion:

"Whereas all three political parties represented in this House have acknowledged that the settlement in the McLean-Thompson affair has been badly mismanaged; and

"Whereas all legislators are collectively responsible to the people of Ontario for matters relating to the Legislative Assembly; and

"Whereas the final settlement of this private dispute is being paid by the taxpayers of Ontario; and

"Whereas the taxpayers have a right to know how their tax dollars are being spent;

"Therefore, be it resolved that the Legislative Assembly of Ontario requests the lawyers in the McLean-Thompson dispute to provide a full report to this Legislative Assembly with respect to all of the legal fees paid under this settlement, including an itemization of all disbursements."

If I was a school board trustee asking for that, I would have it. That would be given to me and that would be a public matter. If I was a member of any city or municipal council and I asked for that, I would receive that and it would be a matter of public record. If I was a member of a regional government or a county government and I asked for that, I would receive that. Why would all these levels of government acknowledge that I as their elected representative had a right to that? Because it is the taxpayers' money. Why we're not seeing it today is not because it is a matter of cabinet confidentiality; not at all. It's because four members of the government on the Board of Internal Economy said no to this kind of disclosure of information that we have asked for.

The member for London Centre has made it clear both inside and outside the House that she asked for this. I myself am standing here asking for this. Is this a wrong thing to ask for? Are we wrong, on our side of the House, to ask for this? We're not wrong on this side of the House to ask for this, because it is our job. It is our duty to ask for this. I don't think the members on the other side understand this particular notion or concept of duty, that it is a

duty to the taxpayer. Sometimes it's not pleasant, but it is a duty to the taxpayer.

When the government side on the Board of Internal Economy said that despite the lawyers' legal opinion this expenditure of taxpayers' dollars should be made, they took it upon themselves to be held accountable for their decision. It certainly was not the decision or the recommendation by the member for Kingston and The Islands the Liberal member on that Board of Internal Economy. It certainly was not the recommendation by the member for London Centre, the New Democratic member on the Board of Internal Economy. But it certainly was the united recommendation of those four members of the government side. When they chose to make that recommendation, they took it upon themselves to be held accountable for that decision. That is what we're asking for, that they be held accountable, that the whole public can see each and every item. It is only through this House that we held the government accountable for the expenditure for private investigators who were hired to snoop in the private life of the person who actually brought this sexual harassment case against her employer.

Because it was raised in this House, the member who was responsible for authorizing that payment, the member for Simcoe East, has now volunteered to pay that amount of money instead of the taxpayers. I would say that that's an appropriate response, and I would say in terms of taxpayers' dollars that we're glad to see some \$8,000 that now will not have to be paid by taxpayers.

It only came about because members on this side of the House were trying to hold the government side accountable for their decision on the Board of Internal Economy for this expenditure. So here we save the taxpayers already 10% of that amount.

We want to look at it further, because what confounds us all on this side of the House — we don't understand why it doesn't confound other members of the House but we know it confounds members of the public — was that the taxpayer had no business forking out \$800,000 on this sorry, sad scandal; none whatsoever. We had no obligation to go to the taxpayer whatsoever. We had legal opinions coming to us, telling us that we have no liability, the taxpayer has no liability whatsoever.

The government, in coming forward with this — one can speculate as to their motives. Clearly it was a benefit to one of their members. Clearly it was a means of ending a story that only could get worse. We found out it was not just one situation of sexual harassment but indeed that there were three sets of allegations about sexual harassment dealing with a member of the government.

Maybe the government thinks that in dealing with a bill that seeks to expend \$52,386,596,000 of the taxpayers' money, perhaps \$800,000 really doesn't matter very much. After all, they can spend \$47 million of the taxpayers' money on propaganda on television and radio, so what's another \$800,000?

The public understands the principle here. They expect us to manage their affairs to the best ability that we can do. Was not this government elected on precisely that

platform? They may point fingers at other parties for previous behaviour. It took 120-something years for the government side to ratchet up a deficit of some \$60 billion before they lost power in 1987. That's what happened. Then we go through, of course, the economies of the day. We end up here with a debt, at the start of this government's mandate, of \$88 billion. We sit here today with a provincial debt of \$110 billion — \$22 billion worse off, \$10 billion of which can be laid directly at the feet of this income tax scheme that they campaigned on, that they're cutting and closing hospitals, cutting and closing schools on.

But for some reason, \$800,000 that they had no obligation to pay whatsoever — the government side can just walk into that committee and just simply put forward that recommendation and use their votes over the protestations of the other two members of that committee. Then we find that the leader of the government side, the Premier of Ontario, the leader of this government, is saying: "No, this was badly handled." I'm sorry, this just does not fly. This dog won't run, not at all.

I am looking forward to the amendment that's going to be offered by the member for Renfrew North. I'm looking forward to the vote. The vote is important. It's a means of accountability. Stand up and be counted. I am willing to stand up and be counted on the matter. I think it was a wrong expenditure and the public should know that. The public should know what the members opposite think as well.

The Acting Speaker (Mr Bernard Grandmaître): Questions and comments? The member for Northumberland.

2150

Mr Doug Galt (Northumberland): It's certainly entertaining to listen to the members debating on this particular bill.

Listening to the member for Ottawa West, he brought to mind the campaign we ran on, so I've just pulled out the Common Sense Revolution here. The key points in the platform, and I'm sure he'd just love to hear them again: cut provincial income taxes; cut non-priority government spending — done — cut government barriers to job creation, investment and economic growth; cut the size of government — that's certainly been done, another policy carried out by this government — and balance the budget. Certainly we're on track, there's no question, by 2001 to balance that budget.

It's interesting that the member for Ottawa West, just being in this House a few months, has become an instant expert on debt and deficit. He's been with three different parties already. He started out with the Liberal Party, he then became an independent and now he's NDP. He must really understand the House now, having been in three different positions while he's been here. I congratulate him on being able to move around quite that much.

He talks about coming from a party that doubled its spending — that was the Liberal Party. He's certainly picked up from them while he was there on how to go about spending. Then he moves to the party that borrowed

the most that they could ever possibly borrow. They doubled the deficit, doubled the debt while the NDP was there. Possibly, he did pick up something while he was an independent. He didn't serve too long there, because the leader of the NDP came to his rescue and very graciously took him in. We're very pleased that he now has a home.

Mr Bradley: I didn't hear the member for Northumberland say how he was going to vote on the amendment which is being placed by the member for Renfrew North. The speakers from the New Democratic Party were wondering if he would, when he stood in the House, declare where he stands in this. We know those who want to ingratiate themselves to the Premier will go to virtually any end to defend something that is totally indefensible.

I ask the members from the New Democratic Party, who touched on this issue, how they would compare the treatment of the people who are gardeners, the people who do the cleaning in this building, the people who provided food services in the building, how they would contrast the extreme right-wing YPCs and their attitude towards that group of people in society as compared to the good old boys of their own party, those who have the connections, those who are in tight with the powerful, those who have the wherewithal to bring their friends to bear on their behalf even before a matter is decided before the courts. Surely that is the issue. This matter was not decided before the courts. There's been no determination as to guilt or no guilt, but apparently the Assembly has to pay at this point in time the expenses of an individual who has incurred those expenses in a private case.

I really wonder if my friends from the third party who made a speech on this and brought out many of the issues were satisfied with what they've heard so far in contrasting that treatment of those who are not born into privilege, those who don't have a position of privilege. You see, it's easy to kick the small people around, because they have a hard time kicking you back. The real test is when it comes to one of your own. Will you treat them the same way as you treated the people at the lower echelons? I'm sure you'll have comments on that.

Mr Len Wood: I want to commend the member for Cochrane South and the member for Ottawa West on the excellent presentations they made, pointing out the fact, why is this government paying hush money to cover up the Al McLean sex scandal? As we're dealing with Bill 96 here, there's money that's going to have to be approved.

Sean Conway has brought forward an amendment and it's going to be interesting to see how the Conservatives are going to vote, whether they approve paying the Harris hush money out to cover up the Al McLean sex scandal.

When we walk down the streets of Toronto we see people sleeping on the streets, with nothing to eat, no roof over their head. In every community, whether you go to Kapuskasing, Cochrane, Iroquois Falls or Kirkland Lake, there are food banks all over the place, there are soup kitchens, because this government has cut the payments going to people on social assistance and welfare. Yet they're willing to allow three of their cabinet ministers and a parliamentary assistant to stack the vote in favour of

paying out what I call the Harris hush money to cover up a sex scandal that has happened within the Conservative Party.

Some say it's the old boys' club. The old boys get together and protect one of their own, rather than paying this money out of the Conservative Party funds. We all know that they have millions and millions of dollars that they've brought in, yet they're going to use taxpayers' money to pay out this kind of money. They have all kinds of money that they're paying for advertising and yet they're going to pay out this money, and we have people who are going hungry a week before Christmas. Here we are at 10 o'clock at night a week before Christmas, debating hush money being paid out by Mike Harris to cover up a sex scandal.

Mr Jack Carroll (Chatham-Kent): Lest we allow the people watching tonight to get the wrong impression about what exactly is happening in Ontario, I thought it might be timely to speak in terms of the fact that we have 357,000 fewer people in Ontario dependent on welfare than we had back in 1995, and well over 100,000 of those are children. There's no question that there still are many people trapped in the welfare system. I think it's fair to assume that the only possible way to exit the welfare system is to find a good-paying job.

The Minister of Economic Development is working hard to make sure that Ontario has a climate that attracts jobs. Our best bet for those folks who find themselves trapped on welfare is to be able to say, "The private sector, because of the policies of the Harris government, has created these jobs, and here are some opportunities for you."

Of course, the work-for-welfare program that has been introduced by the Minister of Community and Social Services is designed to take those people who have been trapped in the system for so long and say, "We're going to give you an opportunity to help yourself." You know, Mr Speaker, as all of us know, that if we condemn people to a life on welfare, what we have said to them is, "You'll never be anything other than poor." But if we give them an opportunity to get reconnected, to get out, to gain some experience, to do some networking, to get some things on their resumé so they can help themselves to a better way of life, a better quality of life through a good-paying job, that is the best thing that we as the government of Ontario can do on behalf of those people.

Mr David Caplan (Oriole): It's very clear what's happened in Ontario. No price is too great to assure Mike Harris's re-election: whether it's \$600,000 for hush money; whether it's \$50 million for advertising; whether it is \$200 million to avert the closure of schools; whether it's any of those things, this government will go to any lengths, any lengths at all to assure the re-election of Mike Harris. But the people of Ontario —

Mr Galt: On a point of order, Speaker: I believe there have already been four responses for two minutes. This is the fifth one. I think it's out of order.

The Acting Speaker: I think you're right on. You're wide awake. Thank you very much. The member for Cochrane South has two minutes to wrap up.

2200

Mr Bisson: Mr Speaker, I would like to split the response with my friend here. Am I allowed to do that, with unanimous consent? No. Well, we tried.

I find it very interesting that the government members stand on points of order to say they don't want to hear members of the opposition speak on the presentation, what both myself and the member for Ottawa West had to say. I find it passing strange that the two government members who spoke in response to our speeches decided to speak about nothing having to do with what we had to say, which is that your government is paying taxpayers' dollars to give hush money to Al McLean to not spill the beans about what he knows or doesn't know about other members of your caucus. That's what's going on.

The other fact is, why did the members of the government not stand up and defend their cabinet ministers for the decisions they have taken in supporting the members of the Board of Internal Economy who are Conservative members: the member for Nepean, the Minister of Transportation, the Chair of Management Board and the House leader? Why is it they didn't stand up and defend them? You cannot defend what your members have done on the Board of Internal Economy, because you guys have decided to pay the legal fees of Al McLean in order to hush him up and to play the good old boys' game with one of your old friends.

I say again what I said in my speech. When it comes to a modern society such as we find ourselves in in Ontario, issues of sexual harassment have to be taken seriously, especially by employers. Your actions as a government when it comes to how you're dealing with it sends a very bad message to the people of Ontario in saying, "This government does not take seriously its responsibility when it comes to the question of sexual harassment." If that's where this province of Ontario is going, it's a sad day for the citizens of this province.

The Acting Speaker: Further debate.

Mr Galt: Thank you very much, Mr Speaker. I'll be sharing my time with the member for Wentworth North.

The Acting Speaker: You need to have consent to share your time. Agreed? Agreed.

Mr Galt: Thank you very much. That's very kind of you.

We are debating the supply bill, An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 1999, Bill 96; a very significant bill, spending some \$52,386,596,000 in some very significant ministries. The Ministry of Health, for example, over \$20 billion. If we look at education and training, over \$11.5 billion. Pretty big figures. If we look at community and social services, almost \$8 billion. Those are the kinds of dollars and the kind of money that's being approved with this particular bill.

I don't think there is any question that the government we have in Ontario right now is the most compassionate

government this province has ever seen. We've seen governments in the past that were prepared to spend money, spend the future and our grandchildren will have to pay the interest and try and pay back that debt. It only took 15 or 16 years to pay off the war debt, and back in the 1960s we were in the black, both provincially and federally. Then what happened? The father of all deficits, Mr Trudeau, came to office as the Prime Minister of this country and we've been going downhill ever since with spending, living with deficits, living in tomorrow's world. Here we are, over \$100 billion in debt in Ontario, almost \$600 billion in debt in the nation, across Canada. It's a most unfortunate circumstance.

This province has been leading by cutting spending. We've been reducing the deficit significantly and we've been cutting taxes and, by cutting taxes, stimulating the economy of Ontario. Prior to the election many economists, many people said you couldn't cut spending and taxes at the same time. But we have stimulated the economy so much that there are more revenues coming in and we are able to balance the budget in another year or two.

I don't think there's any question that the economic programs we've brought in in Ontario have not only helped but have given the federal Liberals the opportunity to end up balancing their budget. I think it's interesting to see in today's paper, just looking at the National Post at some of the comments that are being made about the federal government — some of the quotes I have come from Saskatchewan and I'm sure the NDP would be very interested in the Premier's comments from there. He's issuing a challenge: "Canada's premiers have challenged Jean Chrétien, the Prime Minister, to stand by his offer to restore \$6 billion in federal cuts if the provinces replenish the money that they chopped from the social programs. We're taking him at his word." He goes on to say, "I think the Prime Minister making a statement of this gravity should be taken at his word."

There's no question, as you look around, that almost all the provinces, if not all the provinces, have increased their spending on health care. Mr Romanow was quick to point out that Saskatchewan and most of the provinces actually increased spending in health care despite steep cuts in transfer payments from the federal government since 1995.

This goes on to point out the specific drop that has occurred, from \$18.5 billion in 1994 to \$12.5 billion now. That's a \$6-billion drop on an annual basis across Canada and well over \$2 billion here in Ontario. The only ones that have cut health care are the federal Liberals. The provinces in general, particularly the province of Ontario, have increased health care spending. We have increased it by \$1.5 billion, in spite of the \$2 billion cut by the feds. That means the taxpayers of Ontario really have increased spending by more than \$3.5 billion.

It started out originally in health care where it was a 50-50 proposition: The federal government was putting in 50 cents on the dollar and the province put in 50 cents. What are they putting in today? Some 7.6 cents on the health care dollar. The government that has cut health care

has indeed been the federal government. Now, if they do return some of this \$6 billion to the provinces, they want credit. They also asked if there would be strings attached, and Mr Chrétien replied, "We'll see," and later on, "But Ottawa is also ready to put new money on the table for health care, providing the provinces match those funds." Here we go. They're going to put in new money and demand the provinces match those dollars.

Mr Frank Miclash (Kenora): On a point of order, Speaker: I do not believe we have a quorum in the House.

The Acting Speaker: Madam Clerk, do we have a quorum?

Clerk at the Table (Ms Lisa Freedman): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The member for Northumberland.

Mr Galt: Waiting during that quorum call, I was just checking in the National Post. There was another interesting quote from the Prime Minister, "If they want to talk restoration...I will tell the premiers the same thing: Restore all your cuts and we will restore all the transfers." I think it's very clear-cut, very straightforward, that the cheque should be in the mail from the federal government.

I also think it's interesting that recently they made a great cut in our unemployment insurance. They cut that by some 15 cents while at the same time they increased the CPP by 30 cents, and they were looking for a credit from that. We all know that payroll taxes really are job-killers, and something our government has been doing in reducing taxes is that we've been getting rid of not only income taxes and corporate taxes but also payroll taxes such as the employer health tax.

I mentioned earlier that it's certainly a very compassionate government we have in Ontario, one that hasn't been seen in this province for a very long time, in the fact that we're reducing the deficit and getting the debt under control. As we bring that debt under control, it means there's going to be less interest paid into the future. High-interest payments and high debt mean we drive away jobs.

2210

There is no question that this government is on track as we move down the road into the year 1999 and look at the year 2000 and move into the new millennium.

We're on track with welfare and what we've been doing there. I think it's interesting that in my own riding of Northumberland there's a saving, since 1995-96 to this year, of \$10.5 million, and the county itself will reap 20% of that, over \$2 million alone. When it comes to the Who Does What, they've also saved on the library. We returned the funding for library grants that were there before, and now there's this \$2 billion coming in savings on social assistance. Over a third, some 357,000 fewer people are now on welfare in the province, and also in my own riding of Northumberland it's almost a third, at a 32.87% reduction in the welfare rolls.

We've made great moves, great strides, in being on track with education, with a reduction in the number of school boards, with bringing in standardized report cards that parents can understand, with bringing in a standard curriculum across the province so that when families move they will know where their children are at, whether in grade 3 or grade 5 or grade 8. We brought in testing in grade 3 and now in grade 6. It's not just testing the students, but testing the boards and testing the schools. We brought in a new funding formula that is fair and gives equal opportunity to children whether they be in the far north or in downtown Toronto.

We brought in health restructuring, tremendous moves, with reinvestment in many areas such as long-term care, cardiac bypass surgery, MRIs, kidney dialysis and so on.

We've also made some very significant changes in the environment with regulation reform that's improved the opportunity to look after those who are polluting. We just recently brought in Bill 82 on enhanced environmental protection.

These are some of the things that a compassionate government such as we have in Ontario today is doing for the taxpayers, hard-working Ontarians.

I'll now relinquish the rest of my 20 minutes to the member for Wentworth North.

Mr Toni Skarica (Wentworth North): I would like to address my remarks with reference to the comments that the member for Renfrew North made.

He mentioned the \$130,000, and basically the entire hour was spent on that. He said that it was a matter of conscience, a matter of principle. The challenge was that this was an opportunity for members of the House to be noble, or ignoble if we didn't vote his way. Then he went on to attack two ministers relentlessly for that one-hour period.

In my years as a crown attorney, I found that often to get to the truth you don't listen to what someone says, you listen to what they don't talk about. I noticed there were two major areas that the member for Renfrew North never talked about. One of them was the member for Nepean. He never talked about the member for Nepean, who is one of the members who has been criticized by other members tonight. I think the reason for that, and I got the transcript for last night, is that the member for Renfrew North, who I might say I have a lot of respect for and who I think cares for the process and has a lot of respect for the Legislature and for the members in the House — because I think we all know when we're here that this is a tough job and you have to work hard if you're going to be good at it. You have to make tough decisions. You have to be criticized, sometimes unfairly.

Last night the member for Renfrew North said something that I think is not typical of him and that I'm sure he regrets now. He indicated near midnight as follows: "The member for Nepean is such a wonderful representative of the new religion of modern politics. He is like one of these little Mattel dolls: You insert the program and wind it up and away it goes. It is quite wonderful." This is the same member who is asking us to be noble. I would say these

are most ignoble remarks and not worthy of the member for Renfrew North.

Interjection.

The Acting Speaker: Order, the member for Ottawa West.

Mr Skarica: Obviously the member for Ottawa West is quite disturbed, because he is not allowing me the chance to finish my speech. In any event, not only is that very nasty and nothing noble from a member who wants us to take a noble stance, but it's just not true. Everyone here knows, both in the opposition and all the members of this House on the government side, that on government restructuring, on municipal restructuring in Ottawa, the member for Nepean has taken a very principled stand against an amalgamation, to have Ottawa as one principality, and has taken a very —

Mr Cullen: What about the member for Ottawa-Rideau? Where is the member for Ottawa-Rideau's bill that was supported by the Minister of Municipal Affairs?

Mr Skarica: It's virtually impossible to talk, as the member for Ottawa West has no sense of dignity and he does not want to give the opportunity to other members to express their opinions. But be that as it may, the member for Nepean has taken a very principled stand on behalf of his constituents and has made it very clear that regardless of government policy, regardless of what the government has to say, he will represent the constituents of Nepean who are opposed to an Ottawa supercity type of amalgamation. He's made that very clear.

That's completely contradictory to the fact that he is a Mattel doll, that you can insert a program in him and he will walk away as some type of brainless robot, as has been intimidated by the member for Renfrew North. To give the member for Renfrew North credit, I think he regrets saying that now because he knows that was not a noble thing to do and in fact it was not a true thing to say. I think that's why he did not say anything about the member for Nepean tonight.

The other thing that the member for Renfrew North never talked about was the rest of the supply bill. He talked about \$130,000. The other members have talked about the total being discussed here, \$52 billion, yet the member for Renfrew North spent an hour talking about \$130,000. My calculation is that's 0.0002% of the budget. The member for Renfrew North did not discuss anything about the 99.9998% of the other expenditures in the supply bill.

Interjections.

Mr Skarica: I have to say to the members of the public watching, it's hard to give a speech in the House, because when you try to do it and you try to do it in a fair way, it's tough to do. It's not like a courtroom, because in a courtroom my experience was that you could give your opinion and you would be allowed to do it. But here, the moment you raise any concerns or matters that seem to have an impact, other people in the House start screaming and shouting in a most undignified manner.

In any event, the other matter that the member for Renfrew North did not talk about, but he did allude to it

last night, is the Ministry of Health budget, which is \$20 billion, according to the supply bill. The members of the opposition are always talking about health care cuts and how this government has cut health care —

Mr Bisson: You have.

Mr Skarica: There you have it: "You have." They said that in 1995. Let's go to the Ontario budget, which is audited. In 1995, what was the budget for health care? The budget for health care in 1995-96, when this government took over, was \$17.6 billion. In the supply budget, it's \$20 billion, as Mr Conway alluded to last night, and it's alluded to here. That's an incredible increase. Where's this \$1 billion or so that's been cut out of health care that we've heard time and time again from the opposition, particularly from the member —

Mr Cullen: Because it's less per person, Toni. It's called per capita expenditures.

2220

Mr Skarica: Oh, now it's less per person. For three years all we've heard in this House is: "You guys have cut health care. You've taken \$1 billion out of health care." That's been their story and they're sticking with it.

Interjections.

The Acting Speaker: Order, please.

Mr Skarica: Speaking of stories and sticking with it, the member for St Catharines wrote a speech in 1995. Basically, it is the same speech he's given in this House time and time again. That was, "You guys have to borrow money for your tax cuts." That's been his speech. He's said it over and over again. As the facts have come out in the budgets, that doesn't seem to deter the member for St Catharines.

What are the revenues even after the tax cuts, the actual revenues that the province of Ontario has gotten after the tax cut? When this government took over in 1995-96, the revenues were \$36 billion. Then the tax cuts started. In 1996, the revenues were \$38.4 billion. In 1997-98, the revenues are \$41 billion, which is a full \$5 billion more than the revenues we had in 1995.

Unfortunately for the member for St Catharines, he wrote a speech in 1995 that said about this tax cut, "You're going to have to borrow; it's going to cost you \$5 billion a year." But the fact of the matter is, the revenues have gone up. The member for St Catharines ignored that because he wrote that speech in 1995, and that's his story and he's going to stick with it. That's partly the reason the deficit has gone down from \$11 billion to \$4 billion: Our revenues have gone up substantially. We've created 460,000 jobs in the process. We've managed to increase health care spending at the same time.

But the opposition continues — well, they wrote a speech in 1995: "You guys have cut health care." Of course, spending has gone up; it's right in here as part of the 99.998% that nobody's talking about here except for the government members. Health care spending has gone up dramatically despite the federal government cutting their transfers to Ontario.

The member for St Catharines, every time he speaks, talks about, "You guys have to borrow money for the tax

cut." We've had the tax cuts and the figures are in. We're getting more money than ever before; we're getting \$41 billion, an increase of \$5 billion.

The Acting Speaker: Questions and comments.

Mr Bradley: What a metamorphosis a commissioner-ship makes in an individual. I can remember when my friend from Wentworth North was an independent-minded individual who spoke his mind on all the issues.

Mr Caplan: He sold out.

Mr Bradley: I didn't say that. He just appears to have had a commissionership bestowed upon him now that my good friend Downtown Jim Brown, the member for Scarborough West, who no longer has the position.

Mr Ernie Hardeman (Oxford): He's gone underground.

Mr Bradley: The member for Northumberland says he's gone underground. I think it was him. Someone over there said that.

Interjection.

Mr Bradley: The Minister of Agriculture said it.

I'm telling you, it has made a major difference in my friend for Wentworth North. I used to enjoy his speeches. He was independent; he took an independent point of view. He didn't let the Premier push him around. Now he sounds like a good team player out there. I don't know. Maybe that's the solution: Make everybody on the other side a commissioner.

But what I didn't hear from either of the members who spoke was how they were going to vote, if the government of course will ever let a vote take place, on the money to be paid for the legal fees for the former Speaker of the Legislature. I didn't hear either one of the members say that.

Probably, as they divided the time, they didn't have the time. I know that in their two-minute response, whoever chooses to give that response will tell us how they're going to vote on that motion, because we know they supported to put the boots to the cleaners around here and to the gardeners around here, the people who couldn't defend themselves, the people who didn't make very much money, but here they are, large as life now, backing one of their own in the old boys' network. I wonder how they're going to vote.

Mr David Christopherson (Hamilton Centre): I want to comment on the remarks of my colleague from Wentworth North. It's surprising that I would hear him, or any Tory for that matter, saying almost as C.D. Howe did, "What's a million?" Basically, he was saying, "What's \$600,000?" in suggesting that looking at this is to ignore some larger picture. Of course, our point is that the hypocrisy of this government talking about caring about every penny and then throwing away \$600,000, \$130,000 of which is going for one of their buddies, leaves us all in quite a quandary.

There are two more points I'd like to raise. One is that the member is one of those who likes to talk about the Harris economic miracle, and he talks about revenues and pulls out figures from the budget, but the reality is that the credit rating for the government of Mike Harris is exactly

the same credit rating we had as the NDP government under Bob Rae. If what you're saying about some economic miracle is true, then why hasn't our credit rating gone right up there to the top? Why? Because every financial analyst knows that the whole concept of saying you have to fight the deficit and at the same time give away \$5 billion to \$6 billion of your revenue to the wealthiest people in the province makes no economic sense.

He talks about hospitals. I want to talk about Hamilton in the 20 seconds that are left. The Hamilton Spectator editorially supports the Harris government. What are the headlines lately? "McLean Lawsuit Settlement Smells"; "Hospital Funding Falls Short by \$20 Million"; "Tax Bill Crisis Demands Action"; "Region Wants Answers About the Future of St Peter's Hospital"; "Hospitals Crippled by Huge Deficits"; "Major Hospital Layoffs Ahead." So much for the Harris miracle.

Mr Carroll: I appreciate the opportunity to make some comments on the dissertations of my colleagues the member for Northumberland and the member for Wentworth North.

It's interesting, when the facts are spoken in this House, how the opposition has no interest in listening to them. The member for Wentworth North about talked absolute numbers in the supply bill and in the 1995 budget of the increase in health care spending, absolute facts —

Interjections.

Mr Carroll: No, you cannot dispute those facts. Yet the opposition members continue to rail on about the provincial government cutting health care. Mr Speaker, you and I know, and every member opposite knows, that the only government that is cutting health care spending is the federal Liberal government. They continue to reduce transfer payments to the provinces for health care.

Unlike the provincial government that has raised health care spending by approximately \$2 billion, the federal government has reduced health care spending in Ontario by approximately \$2 billion; so as long as we assign the proper blame, and that of course lies with the federal Liberals.

It's interesting that the member for Wentworth North also spoke about revenues being up. It's unconscionable to me that especially the Liberals could sit across where they sit in this House and talk about how bad tax decreases are. This government on this side, as the member for Wentworth North has shown, has decreased personal income taxes. That has given people more of their money to keep and spend, and that has driven our economy, and our good friends in the opposition benches, the Liberals especially, say tax cuts are bad. I don't understand it.

The Acting Speaker: Questions and comments?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): Come on, let Spanky go.

Mr Dwight Duncan (Windsor-Walkerville): I too enjoyed the comments of the members for Northumberland and Wentworth North. What I really want to know is how they will vote on this, because that vote more than all the discourses you can deliver, more than all the cover-ups

and hush-ups you can attempt to foist tonight, will speak volumes: simple, plain, honest truth of a vote — yes or no.

Mr Bradley: Will they allow a vote?

Mr Duncan: Will they allow a vote? That will speak volumes —

Hon Mr Villeneuve: Spanky, there's a federal seat available.

Mr Duncan: — about their integrity, that will speak volumes about their honesty.

Interjections.

2230

Mr Duncan: The Minister of Agriculture lacks all integrity and all class and all dignity. You're a disgrace to your office and your government for that comment. You should apologize to the people of my community. But I shouldn't be surprised because it demonstrates a sick attitude towards women, and a total lack of respect, something you ought to be ashamed of. If you mean anything about what you say in this House, you'll stand up and allow a vote here and allow a vote about the integrity of women and sexual harassment and not put partisan blatant politics ahead of your own prejudices and misguided notions.

It's an absolute scandal that this government will try to hush this up. I'll be most interested in hearing and seeing how the Minister of Agriculture, who is so sick and disgusting for bringing up the death of a federal colleague in that manner in this House — you should be ashamed of yourself. All of you should be ashamed for hushing up this debate. Show some respect.

The Acting Speaker: The member for Northumberland, you have two minutes to wrap up.

Mr Galt: I was interested in the comments made by the member for Hamilton Centre —

Interjections.

The Acting Speaker: Order, please.

Mr David Ramsay (Timiskaming): On a point of order, Speaker: When my colleague from Windsor-Walkerville was doing his two-minute response, I heard the Minister of Agriculture make a reference, and especially with my colleague coming from Windsor, that there was a federal vacancy and why didn't he run federally. I just have to wonder what he meant by that, but we know there was a vacancy last week because of the death of an MP in Ottawa. I would ask that the minister, who hopefully was not referring to that, but if he was, that he apologize to this House.

Hon Mr Villeneuve: If I've offended anyone, Mr Speaker, I very much withdraw.

The Acting Speaker: Thank you, Minister. The member for Northumberland.

Mr Galt: Thank you very much, Mr Speaker, for the last few seconds here.

What I wanted to point out to the member for Hamilton Centre was that our credit rating has not gone down. We've at least held our own. But what happened during your term? Yours went down nine times: Moody's, May 16, 1991 and May 27, 1994; Dominion Bond Rating Service, May 18, 1991 and November 24, 1993; Standard

and Poor's, May 28, 1991, May 5, 1992 and November 24, 1993; the Canadian Bond Rating Service, May 17, 1991 and May 12, 1992. Nine times your credit rating went down during your five-year term.

The Acting Speaker: Further debate?

Mrs Sandra Pupatello (Windsor-Sandwich): You can see that this kind of debate gets everyone on the government side of the House very nervous. We start talking about the details about what the government is doing with the public's money and the government continues to try gloss over with fancy statistics as though everything were OK. I marvelled at the parliamentary assistant bringing up the community and social services ministry as an example in this House today, of all the wonders of the Mike Harris government.

Today I have less than 20 minutes to discuss two things. One is that what resulted in an amendment that was put forward will be brought to a vote hopefully tonight, perhaps in the morning or in the afternoon, and that is an amendment that will remove \$133,000 at a minimum from that supply bill, which is what we're discussing tonight; the other is the Andersen contract. Those two things are probably the premier examples of bungling and mismanagement on the part of this government.

Let me start with this afternoon when our colleague from Renfrew brought forward a discussion in the House during question period and said, "How will the members vote?" It is the responsibility of every MPP in this House to vote on that supply bill, but we've put another window on that vote. It would have been just another supply bill, and we've had many in the House over three and a half years, but this one is going to be different because the public, wherever you go, is saying to every member in this House on both sides, "I don't like the looks of what just happened over there."

If we go to Midland or if we go to other places in Ontario, the comments that the government members have heard are simple. There are voters angry over scandal costs and what they're saying very clearly is: "I think it's a crying shame. It's taxpayers' money. If we had committed a crime we would have to hire our own lawyer and pay for it out of our own pocket." That speaks to the people on Oak Avenue in Windsor, the people in Wawa, the people in Renfrew and certainly the people in Northumberland are saying the same thing.

To hear the members stand up and not even address that issue tonight in the supply bill, it's a shame that you didn't take the opportunity to talk about that, so your residents will know how you will vote on that bill.

That issue goes further. My question for the Premier of this province is how he could have selected three ministers of the cabinet to sit on that Board of Internal Economy along with a parliamentary assistant, the member for Nepean, and how those four members of that board made that decision to pay those costs when they had the opportunity to see the list of what those costs included. When they went down the list, expense by expense, they had a look and saw that it included the cost of a private investigator that would be tracking the alleged victim in this

case. Did it not occur to any of those three powerful cabinet ministers, those men who sit around the cabinet table, what kind of message it was sending to most people who are in this situation?

In trying to bring claims against an employer in a case of sexual harassment, what usually happens to one who is usually female in gender is that those alleged victims become revictimized when they come forward with their complaint. That is known in the industry to happen, mostly to women. Did it occur to those cabinet ministers who sat at that table that that was the message you were sending to women across this province, that this government not only condoned it, supported it, but you used taxpayers' money to do it, and you knew it was being done when you made the decision to pay that expense?

I want to know why those ministers are still sitting at the cabinet table. Why are those ministers still cabinet ministers? They made a decision, having the information in front of them, to go forward to the public and say that we could use taxpayers' money to pay for a private investigator to revictimize the alleged victim in this case and that's OK. When that bill comes into the House tonight, that is what you're voting on in this supply bill. That amendment was put forward, which you're going to vote on. The amendment is that all of you guys sitting across the way think it's OK that in this case the government of Ontario can stand up and actually condone that a victim could be revictimized through paying for a private investigator.

Never mind that the member has agreed today to repay those costs. The decision was made before to do that. Where were the other ministers at that table? Was there any discussion after that? If the Minister of Culture had been at the table, would it have been different? If the minister for women's issues had been at the table, would that have been different? If the Minister of Community and Social Services had been there, would it have been different? That is my question.

Instead those cabinet ministers, three of them — these are not just three new people to government. You have the Chair of Management Board, the individual who decides the timely flow of monies to every ministry in the Ontario government, a significant cabinet position. You have the Minister of Transportation, who is purported to have written the Common Sense Revolution, your party platform, no newcomer to the PC Party. You have the minister who is the House leader, probably one of your most experienced cabinet ministers at that table. You are talking about three heavyweights at the cabinet table who consciously made a decision to condone the revictimizing of that alleged victim and it's OK, even though you knew the message it would send. In these kinds of cases it is so typical: When women try to come forward with complaints, they usually don't because they see the kind of treatment that will be waiting for them, namely, that the other party will have the power or the money to bring, in this case, private investigators to bear. That's the message you're sending out.

2240

When you go home to your ridings after the end of this week, and when you meet the people in your ridings who may well have been in the same position, I ask you: How are you representing them? What kind of message are you sending to women in particular who mostly are involved in these kinds of cases, who mostly don't come forward even though they should because they know the kind of haranguing that waits?

I want to know specifically why those individuals are still at the cabinet table knowing they had done that. For the parliamentary assistant, who may well be a newcomer to this House, did it not occur to him in representing his own constituents that that was an inappropriate use of taxpayers' money?

The parliamentary assistant earlier wanted to address the Ministry of Community and Social Services for great expenses of taxpayers' dollars. In this House, over the last couple of weeks, we've brought out the case of the Andersen contract, the signing of a \$180 million contract by the Ontario government with a private company, with very little information available, apparently, to the Minister of Community and Social Services.

As we went forward in the committee on public accounts to review the Provincial Auditor's remarks — the Provincial Auditor spent many pages addressing one simple fact: the Andersen contract. What he said was, "This stinks." He spent much time and many pages discussing what the government missed, or if you didn't miss it, agreed to, unwittingly or not.

The most historic size of a contract in the Ontario government, \$180 million, and the minister had the nerve to say, "I didn't hear anything about, I didn't see anything about it and I didn't say anything about it." Who is going to believe that this government could have a \$180 million contract and there was no discussion in advance about that? And we find out from the Provincial Auditor that that isn't even the end of it; that you have excluded costs that can be reimbursed for all manner of things.

That's what your government agreed to do. That is what is in this supply bill. The supply bill that we are debating tonight includes —

Mr Peter L. Preston (Brant-Haldimand): The director told you they don't check them.

Interjections.

The Acting Speaker: Member for Quinte, order, please.

Mr Duncan: On a point of order, Mr Speaker: The right-wing from somewhere should withdraw that statement of his. He suggested the member for Windsor-Sandwich twisted a statement. That's simply not accurate.

Mr Preston: I didn't say she lied, I said she twisted it and that's the point.

Interjections.

The Acting Speaker: Order, please. Can you straighten out your comment?

Mr Preston: Yes, it was a terminological inexactitude. I can say that.

The Acting Speaker: Point of order, the member for Quinte?

Mr Preston: On a point of order, Mr Speaker: The Speaker knows from whence I come. I am not the right member from nowhere.

The Acting Speaker: This is not a point of order. Order, please. Member for Windsor-Sandwich.

Mr Preston: On a point of order, Mr Speaker: Can I be referred to as the right-wing from somewhere?

The Acting Speaker: The member is absolutely right. I'll ask the member for Windsor-Walkerville to please withdraw his comments and address the member by his riding.

Mr Duncan: I apologize, Mr Speaker. He wasn't in his right seat. He's right something, but not in his right seat.

The Acting Speaker: Member for Windsor-Walkerville, please. Can you straighten this out?

Mr Duncan: The member for Brant-Haldimand.

The Acting Speaker: I thank you very much.

Mr John Gerretsen (Kingston and The Islands): On a point of order, Speaker: Since the member for Nepean is in the House now, I ask for unanimous consent to allow him to make a statement as to why he moved this motion at the Board of Internal Economy.

The Acting Speaker: Unanimous consent? No.

Further debate?

Mrs Papatello: I'm quite interested to hear the member for York Mills. If you choose to speak about broomsticks, speak about your own. I don't appreciate those kinds of comments, member. I think it's probably a sexist comment and you should know better.

The point of this discussion is that you and the rest of your colleagues spent \$180 million of taxpayers' money on a contract that the Provincial Auditor said smells. That is the point. I will tell you that after much time with the Provincial Auditor in detail, he found reason after reason to question the minister.

How dare the minister come into this House and say, "I didn't know anything about it." Do you expect anyone out there to believe that a minister of the crown would be in any way involved, that if her deputy signed a \$180 million contract, which is unprecedented in that ministry, she didn't ask any questions, she didn't want to know any details, she didn't know what it involved, she didn't know what kind of extras were involved? And she purports to come from the business community. Has she ever signed a contract without knowing what the caps might be on extras?

Interjections.

The Acting Speaker: Order, please.

Mrs Papatello: Every time we get close to the truth, the members over there get a little upset. I think the whips should come back in this House and sit down and listen to the truth of this matter. This Andersen contract smells, and the Provincial Auditor is dead on when he says so. It is completely unreasonable for the minister to try to put it over on the public that she would not have asked any

questions and not investigated what the extras might have been.

Are you aware that there is no cap on extras that that company can charge back to the Ontario government, that it doesn't include a cap? It is completely open-ended. Do you realize that in a very limited amount of time, these individuals have racked up expenses for accommodation, meals and travel that equal more than the housekeeping staff make on an annual basis in this House?

This Board of Internal Economy wanted to privatize everything that moves in this building. These people make less than \$26,000 a year, and yet you're prepared to sign Andersen Consulting and give them cheques worth more than they'd make downstairs in this very building. That is the kind of priority that this government is on track for and this is what the public will know.

When you come to vote on your supply bill, you should note that you had better vote in favour of that amendment.

2250

The Acting Speaker: Questions and comments? Further debate? Would the parliamentary assistant wrap up?

Mr Baird has moved second reading of Bill 96.

Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those against, say "nay."

In my opinion, the nays have it.

Call in the members; there will be a 30-minute bell.

I have received a request from the chief government whip:

"Pursuant to standing order 28(h), I would like to request that the vote on Bill 96, An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 1999, be deferred until December 17, 1998."

The vote has been deferred.

Mr Conway: Mr Speaker, till when?

The Acting Speaker: December 17, which is tomorrow.

INTEGRITY COMMISSIONER AND LOBBYISTS STATUTE LAW AMENDMENT ACT, 1998

LOI DE 1998 CONCERNANT LE COMMISSAIRE À L'INTÉGRITÉ ET LES LOBBYISTES

Mr Grimmett, on behalf of Mr Hodgson, moved third reading of the following bill:

Bill 69, An Act to amend the Members' Integrity Act, 1994 and to enact the Lobbyists Registration Act, 1998 / *Projet de loi 69, Loi modifiant la Loi de 1994 sur l'intégrité des députés et édictant la Loi de 1998 sur l'enregistrement des lobbyistes.*

Mr Bill Grimmett (Muskoka-Georgian Bay): I'm pleased to commence debate on third reading of Bill 69 and make a few comments before the floor is turned over to the opposition parties.

If approved, Ontario will become the first Canadian province to enact a lobbyists' registration law. Since we introduced the Lobbyists Registration Act on October 6, we have held public hearings and listened to feedback from the opposition, the Speaker and the lobbyist community. As a result of that information, the bill you have before you today has been revised in some areas to make it stronger, more comprehensive and more easily understood.

The key amendments to Bill 69 include the appointment of the Integrity Commissioner of Ontario as the lobbyists' registrar — this ensures an arm's-length approach to administration of the Lobbyists Registration Act — and also the requirement that lobbyists report the sources of non-government funding above \$750 which their clients receive for specifically identified lobbying activities. This requirement applies to contributions from organizations and entities, not private donations from individuals. It ensures greater transparency related to the funding of lobbying activities.

In response to the lobbyist community, the government is defining more clearly what constitutes an offence. We heard concerns that failing to deregister is not as serious as other contraventions of the legislation such as failure to register. As a result, the failure to deregister is now not an offence, and the lobbyists' registrar has the authority to remove registrations when lobbyists have not confirmed or terminated their registrations. This ensures that the lobbyists' registry is kept current.

We're making it clear that officers of the Legislative Assembly, public servants and, where needed, crown employees are not considered to be lobbyists when communicating with the government in their official capacity.

The opposition raised concerns at the government having the regulation-making authority to exempt from the definition of "public office holder" any person appointed by the Lieutenant Governor or a minister of the crown and any officer, director or employee of any agency, board or commission of the crown. We have addressed those concerns. I believe we are taking a step in the right direction in terms of maintaining public confidence in government decision-making without unduly restricting access to public office holders.

The proposed registration system is very similar to the one used by the government of Canada. The registry will be posted on an Internet Web site that is accessible to the public. All information on the registry will be part of the public record.

If this bill is approved during this session, the registry system would become operational early in 1999. The mandatory registration of lobbyists will support the government's commitment to managing its business processes openly and fairly and will protect the integrity of government from undue influence, and I urge all members to support Bill 69 when the opportunity arises.

The Acting Speaker (Mr Bernard Grandmaître): Questions and comments?

Mr Sean G. Conway (Renfrew North): It is deliciously ironic that we should conclude the debate of

earlier this evening, much of which focused on the McLean-Thompson matter, and then move on now to an amendment to the integrity act to clean up the lobbyists situation in the province. Any step in a forward direction on this matter is one that should be supported because it is my impression that we have around and about us now the grandest barbecue of all for lobbyists.

I spent some time in the last year dealing with Bill 35, an act to restructure the electricity sector. I can say honestly, in all of my time around here I have never seen a pool in which there were so many lobbyists: big lobbyists, small lobbyists, fat lobbyists, lobbyists who were thin but hoping to get fat on buttermilk quick.

I understand that Leslie Noble hasn't enough hours in the day to meet her various and several clients. There was a time when we had a national press based in Toronto that cared about what people like Leslie Noble were doing in the public interest. I remember a day when the Globe and Mail would really be out looking very carefully. I don't expect the National Post to be looking, but there was a time when the Globe and Mail looked with great interest and some considerable regularity.

I simply want to say that I will certainly support a forward movement on the lobbyists business because, quite frankly, while we have reduced the members of Parliament, while we have downsized the politicians, we have certainly in Mike Harris's Ontario created a glorious opportunity to expand and upsize the lobbyists. Let me tell you, Leslie Noble is the queen of all she surveys.

Mr Alex Cullen (Ottawa West): Following the very short presentation from the member for Muskoka-Georgian Bay, this is an important bill. I think it's a bill that deserves support. But, quite frankly, as the members of this House know, this is a bill that was announced four times before we finally got to see the legislation. Here we are today, the second-last evening before the House will prorogue. We're dealing now with third reading. Hopefully we will get this bill passed; it is needed. But if ever there was a situation where we're closing the barn door after the horses have left, this is one.

I want to inform the House that despite the blandishments of the members opposite, what this government is doing today is not the cutting edge of lobbyists registration. The government members have acknowledged that this bill simply mirrors the federal legislation that was introduced some 10 years ago. They talk about being the first province, but the model for the legislation has been in existence for over 10 years.

You must look at the context within North America. Not only have there been laws in the United States Congress since World War II, but every state in the United States has lobbyists registration legislation. As a matter of fact, over a third of the states have updated their lobbyists registration legislation to require even more disclosure than what we're seeing here today. It is fine for the government to say that they're the first one there. But we know that, indeed, it is closing the barn door after the horses have gone. I'll come back to that later on in the process.

The fact is that we have to deal with the whole issue of how to ensure transparency in the process, how to assure the taxpayer that there is integrity to the process. The member for Renfrew North alluded to another issue that requires transparency and accountability, and of course that's the Al McLean affair. But I will restrict my comments to later on when I get to speak to this bill.

2300

Mrs Helen Johns (Huron): I'd like to say, first off, that I was on the committee that looked at this issue. I was pleased to be on it because I learned a great deal about the lobby bill as a result of it. The first thing I learned was that the committee was very well run under the leadership of the parliamentary assistant, Mr Grimmett. He did an excellent job. Even the opposition talked about the great job he did. The opposition members talked about how many amendments there were as a result of him listening so carefully to the people who came before us, and I think that says a lot about this bill.

One of the people who came before the committee, of course, was the Speaker. I admit he didn't have the same shoes on that he has on today, but he did come and he made a number of recommendations to the bill which were accepted by the members of the House in an effort to make this bill a very important bill.

One of the things that we have to recognize as we listen to the members opposite is that they talk about whether we should have done this earlier in the term. It's always easier to say someone should do something earlier. Should it not have been done when the NDP were in power for four years?

Mr Cullen: You said you were going to do it four times.

Mr Doug Galt (Northumberland): What about your four times?

The Speaker (Hon Chris Stockwell): Members for Ottawa West and Northumberland, come to order. Stop the clock. This is debate.

Mr Galt: You had your chat.

The Speaker: No, that wasn't a chat.

Mrs Johns: The question I was discussing was whether this bill should have been done earlier. Of course, this bill should have been done in the four years that the NDP were in power. Should the bill have been done when the Liberals were elected? Absolutely. This bill should have been done years and years ago. But we need to take credit in this Legislature because we moved to bring this bill forward, and I think it's a very important bill.

The member for Renfrew North talks about lobbyists and he talks about Leslie Noble. I want to say when we sat on a committee recently he listened to a lobbyist who wanted the Toronto District Heating Corp to have their way. He listened to them and he said that it was a very persuasive argument. That's why we need to have a lobbyists bill.

Mr Mike Colle (Oakwood): Here we are, the second-last day before the break, and there are a whole series of bills. I know the public is certainly going to have a challenge in keeping up with what's on these bills. I guess this

bill here, being done at this late hour, is typical of the way this government works in that the public has seen so many changes and by the time they find out how the changes are going to affect them, who knows how long it'll be down the road?

This is a bill which this government announced four different times. In the first couple of months they were elected, they promised this bill; they kept on promising. They're just waiting till the very end. Now they have introduced it.

A small business person said to me the other day: "If you want to see this new government, if you want to make contact with the Conservative government, you either have to have a limo, a lawyer or a lobbyist. That's what you need. You can't get hold of or talk to ministers. They're too busy talking to big business. They have no time for ordinary people."

Mrs Johns: When was the last time —

Mr Colle: The member for Huron is very upset because I'm attacking her big business friends. I'm not sure why you're upset.

Interjection.

The Speaker: Member for Huron, come to order.

Mr Colle: It's very difficult to talk. But anyway, a lot of small business people in this province are complaining that this government didn't listen to them. It was just like when they introduced that massive tax hike on small business where they were going to increase taxes by 100% and the banks were going to save \$300 million. The small mom-and-pop stores were going to have their taxes increased by 100%, 200%. They never even asked the ordinary small business person about taxes. They just talked to the banks.

This is why people better understand that these bills —

The Speaker: Response, member for Muskoka-G Georgian Bay.

Mr Grimmett: Thank you very much. I'd like to thank the members who spoke. I'm pleased to hear that the members for Renfrew North and Oakwood will be supporting the legislation. I just want to point out to the member for Huron that the NDP were, in fact, not in power for four years. They were in power from September 6, 1990, to June 8, 1995. Anybody who was out there trying to make a living during that time certainly knows those dates very well. I remember them very well.

The member for Ottawa West has indicated that he thinks we've taken too long to implement the legislation, and I want to compliment the member for Ottawa West because he has been on this bill as the critic for both the Liberal Party and the New Democratic Party and he has done a good job on this bill. He is very thorough in his examination of the legislation. He knows the legislation inside out, and he has been very helpful in offering his comments, both from the benches in the Liberal Party and from the benches in the New Democratic Party. I don't think he provided any comments when he was sitting in the independent section, but maybe he didn't have enough time there to get warmed up.

I certainly look forward to his comments later, and I want to assure the members that contrary to what the member for Ottawa West might say, this is the toughest lobbyist legislation in Canada. All you have to do is ask the lobbyists, because the lobbyists do not like the section in this bill that deals with conflict of interest. They think it's too tough. We have left it in and I'm glad we've left it in, and probably the opposition members will recognize that this is tougher legislation than you have in Ottawa.

The Speaker: Further debate?

Mr David Ramsay (Timiskaming): There is agreement that we will split the remaining time with the third party and that I will split some of my time with the member for Kingston and The Islands and also the member for St Catharines.

The Speaker: Agreed that the NDP and the Liberals may split the remaining time? Agreed.

Mr Ramsay: Thank you very much, Mr Speaker, and I thank the members of the House for that agreement.

As my colleague from Oakwood has pointed out in his response, we are supporting this piece of legislation. What's kind of sad is that this legislation, that's really very necessary to act as a watchdog over how government conducts its business over its term, comes close to the very end of the term of this government before the next election. As has been said by other members in this House, this government announced four times that this piece of legislation was going to be introduced and finally introduced it, I believe, on October 6 of this year. So it comes basically in the last six months of this mandate.

You'd only have to conclude from this that the only reason for this delay is that this government has desired to do business as usual, and that is behind closed doors, without the scrutiny of this type of legislation that would alert the public to exactly what lobbying efforts have been going on. Like a lot that goes on in government, it's late, but it's good enough that it's worth supporting and it should be in place to act as a watchdog on all governments, whoever comes next.

This legislation, for people who maybe want to get a better understanding of it, is there to protect the public interest. It's there to ensure the integrity of the government process. It's to avoid the culture of preferential treatment on the basis of whom you know and how much you're willing to contribute to the governing party, which unfortunately has been the case in the past.

The Harris government's biggest job creation plan has been, unfortunately, the proliferation of lobbyists. From Bill King and Leslie Noble to George Boddington to Mitch Patten, the Harris government record has set a new standard for mixing government business with controlled access and preferential treatment.

This legislation should have been introduced at the very beginning of this government's term and not now, near its end. This legislation should have been in place when Mike Harris's government was privatizing road maintenance contracts, privatizing jails, holding bids for casinos and contracting out office management, closing hospitals etc. There has been a lot of privatization and contracting out,

and to ensure the integrity of those processes it would be very important that a piece of legislation such as this be in place. But unfortunately it'll only take effect probably in the last few months of this government.

If we had had this legislation in place we could have avoided the impropriety that clouded the Niagara casino contract. I remember a few months ago a lot of questions in this House being raised by that. From that we would have known that Michael French, who was under contract with the government to advise on how the lucrative casino deals were going to be awarded, was at the same time on a \$100,000 casino contract with one of the bidders that was rated third but ultimately won the Niagara casino contract.

2310

It's interesting that all the scrutiny over the last few years has been on politicians, that somehow politicians are there to take advantage for personal gain. We have certainly agreed, and when we were in government in the late 1980s brought in the integrity act, I think at that time called the conflict-of-interest act, that all of us, of all parties in this House, have to have total disclosure of our assets, our liabilities, so that the public would know what we own, what we have an interest in, whom we might owe money to, and that's all for the good.

Where we've really slipped up is with consultants and, quite frankly, with senior bureaucrats. We've seen far too many cases where senior bureaucrats have been working on a file such as a casino contract and then, lo and behold, quit the government and wind up working with a successful bidder in a very lucrative contract such as a casino or a privatized highway project. This really has got to have public scrutiny and this legislation doesn't even go far enough to correct that sort of potential corruption that could exist there. We have to be careful and watch this. We have to make sure that the public is assured that not only the political side of government life, but lobbying and the bureaucratic side are all here for public service and are not able to take personal advantage of their special knowledge or their special positions or situations within government. This is very important and why this legislation is certainly needed.

Had this legislation been in place, as was promised over two and a half years ago, this clear and blatant conflict of interest would have been avoided by a responsible government.

The Tories say that this legislation mirrors the federal standard, but it falls short in three key areas. Unlike the federal legislation, there's no code of conduct to cover lobbyist activities. Unlike the federal legislation, there are exemptions that can be granted by order in council. By a simple cabinet decision, the entire Premier's office, ministers' offices and other sensitive departments can be exempted from the terms and conditions of the legislation, creating a loophole big enough to steer the Titanic through. Unlike the federal legislation, there are no specific duties for the Integrity Commissioner to be responsible for. The role of the Integrity Commissioner to investigate and review complaints under this new lobbyist

registration legislation is totally subject to the direction of cabinet. That part of it should be taken out.

In the spring of 1997, the government indicated it would start a new initiative to introduce lobbyist legislation in Ontario. Since that time, the government hedged on the promise of legislation and ignored calls for investigations into backroom lobbying deals on charity casinos, the Niagara casino project and other allegations. Now, as a high-profile Tory lobbyist, Leslie Noble, begins her new career as the Tory campaign chair, the government has finally introduced this legislation.

To simplify the initiative, the government says it copied the current federal legislation, requiring registration and disclosure of lobbyists dealing with government offices and employees. The legislation defines the activities of lobbying in terms of contacting any public office-holder — civil servant or politician — on any legislative issue under a paid contract.

All lobbyists must register their names and business addresses, business information, client details, the issue that is being lobbied, and the ministries, agencies, boards and political offices that are being contacted with a provincially designated registrar. The registrar must keep this information open to public access.

There's a distinguishing feature in the bill between the various types of lobbyists. Lobbyists are distinguished between consultant lobbyists, paid directly, and in-house lobbyists who are paid staff, or for companies. Consultant lobbyists are required to register all their activities, while in-house lobbyists are only required to register if a significant part of their duties involves lobbying activities. A government relations firm staff person, for example, who has a contract to lobby on behalf of agencies, firms or groups would be a consultant lobbyist. A staff person in a public agency who, as part of their broader work responsibilities only has occasional contact with the government representatives, would be an in-house lobbyist and may not be required to register.

However, this legislation differs from the federal statute in three key areas. Under the federal Liberals, a code of conduct was established to measure the activities of all lobbyists. The code was drafted in a public process and provides a mechanism to monitor specific allegations of lobbying improprieties. The provincial legislation has no such code.

The provincial legislation contains exemptions which are not included in the federal legislation. Section 18 allows for regulations "exempting any person who is appointed to any office or body" and "exempting any officer, director or employee of any agency, board or commission of the crown." This exemption is broad enough to allow the government to exempt any contacts with political offices such as the minister's staff, Premier's staff, Ontario Hydro directors etc.

The federal bill also specifically included a role for a commissioner to review allegations of improprieties under the legislation. In our Bill 69, there are references to expanded powers for the existing Integrity Commissioner in regard to the lobbyist provisions, but the specific duties

are left to be requested by the Chair of Management Board and are precluded from being mentioned in the commissioner's annual report.

I know there are some concerns about that particular aspect of the bill, which potentially places the Chair of the Management Board, who is a minister of the crown and a member of the executive branch of the provincial government, in a position to direct the Integrity Commissioner to make an investigation. While we were in committee a few months back, the Speaker came and made a presentation to us, asking the committee to consider a change in that aspect of the bill. I think he's right, that that should really be in place because that is not the type of conflict we should have there.

I say to members and to my colleagues that this bill is long overdue. While it will be in place for the last few months of this government, it is good that it will be in place in perpetuity. Hopefully, future governments will improve upon this so that there will be a growing confidence in how government works among the population, that nobody can take advantage of their special position in government, cannot take advantage of the special information they are privy to in their work in the public sector. Voters need that assurance, that nobody can take advantage of that and that their tax dollars are safe and everybody is working with integrity.

I would like to yield my time to the member for Kingston and The Islands.

Mr John Gerretsen (Kingston and The Islands): I would like to make some further comments with respect to this bill.

One of the more interesting amendments that was made to this bill in the committee process was that the original bill contemplated the commissioner acting as well on the advice and on such activities as Management Board might give to the commissioner. The problem with that, and I think the people of Ontario should understand it, is that the commissioner who deals with the Members' Integrity Act reports directly to this Legislative Assembly in much the same way that the Ombudsman, the Environmental Commissioner and the Provincial Auditor do. They are not, strictly speaking, government employees. They work for us, the 130 members of the Legislative Assembly.

The notion that an Integrity Commissioner could also do work on behalf of Management Board: A lot of us felt uncomfortable about that, because who would really be calling the shots when it came to the Integrity Commissioner? Would it be the Management Board in some of the additional duties that would be requested of the individual through cabinet, or would that individual owe its first allegiance to the Legislative Assembly which had appointed that person in the first place? It's my understanding that an amendment was made at the committee hearings that took place after second reading and I think that's a good overall step.

If I could just talk about that issue a little bit more and the whole McLean controversy, the people of Ontario must find it interesting, to say the least, that although the Board of Internal Economy on our behalf operates the

various functions under the Legislative Assembly, really no one from the Board of Internal Economy, or at least this is the position the government has taken, offers any explanations in this House as to —

Mrs Johns: On a point of order, Mr Speaker —

The Speaker (Hon Chris Stockwell): I don't see anything at all out of order.

Mrs Johns: — I'm sure the Board of Internal Economy is not a lobbyist group.

The Speaker: Member for Huron, I heard your point of order and I think the member will speak to the bill as he usually does.

2320

Mr Gerretsen: The bill specifically deals with the Members' Integrity Act, and the person who's responsible for that act is the person who's responsible directly to the Legislative Assembly in no different a way than the Board of Internal Economy. I was not going to discuss the whole McLean matter because that has been discussed tonight at quite some length.

I was simply going to say this: The people of Ontario who are watching this, and there are some who watch it on a regular basis, must find it strange that we can talk about all sorts of matters in this House relating to government policy, and yet on the issues as they relate to this Legislative Assembly, for which we have set up a board to manage the Legislative Assembly affairs, there is really no one directly responsible to answer any public questions in this particular forum. That's the only point I was trying to make.

There is some incongruity in that position, to say the least. The people of Ontario have a right to know what happened in there. I don't think the decisions just ought to speak for themselves. It is no different from any other ministry making a policy and having that policy endorsed here through legislation and quite often a minister then will make public statements about whatever has been decided within that ministry, and I don't see why this isn't happening with respect to any decision that has taken place by the Board of Internal Economy.

Many members of the Board of Internal Economy, including myself, have spoken to the media and to the press when we're asked about these issues outside of this House, yet the government members on the board for some reason have refused to talk about any of these issues in this House. What's interesting about that is that we enjoy parliamentary privilege in this House. We can say anything we want, no matter how outrageous or non-outrageous, and somehow nobody can take us to task on that by way of a legal matter. If we say some things outside of the House, somebody could take a legal action, yet here we have the exact reverse: The members of the Board of Internal Economy are talking about this matter outside of the House and nobody can be questioned about what happened on the board specifically inside the House.

It is just something to think about. I'm bringing this up not in an argumentative manner but to really think about it, that there's something lacking there. The Board of Internal Economy spends somewhere around \$100 million

per year. It's public money in no different a way than the money that's spent by any government agency and committee, and there ought to be a mechanism whereby decisions of that board can be questioned in the House.

Mrs Johns: Lobby it.

Mr Gerretsen: Having said that, it's interesting how the government members feel very touchy about this —

Mr Conway: Only one, apparently.

Mr Gerretsen: Only one, and she is somewhat excited this evening for whatever reason.

Let me turn back to this particular act. It is interesting that the lobbyist —

Interjection.

The Speaker: Order, order. Member for Huron, you must withdraw that comment.

Mrs Johns: And I do, Speaker.

Mr Gerretsen: Speaker, I didn't even hear that. Sometimes it is better not to hear something in this House. I really believe that we should not be involved in personal insults in this House. It really doesn't do anybody any good and it certainly doesn't raise the level of debate.

Let's talk about the lobbyists' code of conduct that has been adopted within the federal system. I heard earlier that our new proposed act is much stronger than the federal act. I wonder if the member for Huron, who seems to have an awful lot to say tonight, will, during the two-minute response she will undoubtedly take at the end of my little speech, which will come in six minutes or so, tell us why the committee felt it was not necessary to include a code of conduct similar to the code of conduct that's included in the federal act.

Let me very quickly touch on that code of conduct. What does it say? It talks about a transparency under the section of the code of conduct labelled as "Rules." It states, "Lobbyists shall, when making a representation to a public officeholder, disclose the identity of the person or organization on whose behalf the representation is made, as well as the reasons for the approach." I think that's a reasonable request. There's no reason why a lobbyist, when they're approaching a particular government department, whether it's a political individual or whether it's a staff person, shouldn't tell them whom they're representing and what the purpose of their meeting or their representation to that particular department is.

Second, it says, "Lobbyists shall provide information that is accurate and factual to public officeholders." Surely to goodness, that's not a very onerous kind of provision. You would hope that lobbyists or anybody would present a particular government department with accurate and factual information.

The next item is, "Lobbyists shall indicate to their client, employer or organization their obligations under the...act." That's reasonable. It's important that whoever their client is should know the main parts of the act and should know the main restrictions or the parameters under which the lobbyist can operate.

Number 4 says, "Lobbyists shall not divulge confidential information unless they have obtained the informed consent of their client, employer or organization, or

disclosure is required by law" — a very reasonable provision. I don't think there's anything wrong with that at all.

Number 5 says, "Lobbyists shall not use any confidential or other insider information obtained in the course of their lobbying activities to the disadvantage of their client, employer or organization." Basically, it's saying that if somebody hires you to lobby on their behalf and put out a particular position, you adhere to that position and you don't undermine or undercut their position. That's reasonable.

The sixth rule of the code of conduct is, "Lobbyists shall not represent conflicting or competing interests without the informed consent of those whose interests are involved." That's reasonable. You cannot represent two sides of an issue at the same time is what this is saying. The clients ought to know that. We're also talking about the protection of the client they represent as well as the protection of the general public.

Number 7 goes on to say, "Consultant lobbyists shall advise public officeholders that they have informed their clients of any actual, potential or apparent conflict of interest, and obtained the informed consent of each client concerned before proceeding or continuing with the undertaking." That's reasonable.

The final rule of the code of conduct states, "Lobbyists shall not place public officeholders in a conflict of interest by proposing or undertaking any action that would constitute an improper influence on a public officeholder."

These eight rules of conduct, which are contained in the federal piece of legislation, should be included in the lobbyist act. If you read the entire act, all it talks about is the fact that a lobbyist ought to be registered; it talks about the number of exemptions, how cabinet under certain circumstances can grant exemptions to a whole group of individuals; and it talks about basically the registration requirements. But it really doesn't talk at all about what the code of conduct of that lobbying should be, and that is probably the most important aspect. It is not the registration that is the important thing. The important thing is that a code of conduct is adhered to by the person doing the lobbying.

I would like the member for Huron, who's got such a tremendous interest in this bill —

Interjection.

Mr Gerretsen: There are no questions and comments? Maybe she could get it in some other way then, or maybe she can write me a note on this as to why exactly the code of conduct was not included in our act. As well, maybe by a point of order or by point of information or by slipping me a note she can advise me how she intends to vote on the supply act relating to the McLean matter, because I think we're interested in that; the public is interested in that.

2330

This was announced earlier tonight on three or four occasions. At about 5:30, a quarter to 6, somebody else announced that we would be debating this and that this matter would come to a vote at 10:30. For some reason we had the most unusual situation here where the government

did not want to vote on its own bill tonight. That is unusual; that is strange. The government introduces a bill, everyone is finished with debate, and then the government says, "Well, we don't want to vote on this."

Were there really not 45 members of the government within the precinct tonight? Is that what it was? Were they afraid that bill was not going to pass? Anyway, I hope the member for Huron will do whatever it takes to get this code of conduct —

The Speaker: Thank you, member for Kingston and The Islands. Further debate.

Mr Cullen: Thank you, Mr Speaker, for giving me this opportunity to participate in this debate. We are dealing with Bill 69, An Act to amend the Members' Integrity Act, 1994 and to enact the Lobbyists Registration Act, 1998. I have to commend the government for much improving the bill compared to its initial edition when we got it at first reading.

I think it's important that the issues raised by the Ontario Liberal Party during second reading that dealt with the role of the Integrity Commissioner, that dealt with the apparent power given to cabinet to exempt whole portions of the civil service, these were issues that I raised as the leadoff speaker for the Liberal caucus. I'm glad to see that the bill did go to committee, that there was consideration of these points and that these matters were taken into account. We have a much improved bill.

It's important to understand why this legislation is being introduced. It is being introduced to protect the public interest, to ensure the integrity of the government process, to avoid the culture of preferential treatment based on who you know and how much you're willing to contribute to the governing party. In this particular instance, we have lobbyists who have left the government and who are selling their expertise, their knowledge of who's in power to make what decision. Of course, I'm talking about such graduates from the Premier's office as Bill King, Leslie Noble, George Boddington and Mitch Patten.

Quite frankly, this government has set a record, a new standard of mixing government business with controlled access and preferential treatment. Indeed, this legislation should have been introduced at the beginning of this government's mandate, not now, close to the end of it. This legislation should have been in place when the Mike Harris government was privatizing road maintenance contracts, when it was privatizing jails, when it was holding bids for casinos, when it was contracting out office management, when it was closing hospitals. It would have been important to know then who was lobbying the government to gain from these kinds of policies.

We have to understand that lobbying is going on all around us. It's a multi-million dollar business. The purview of government touches automobile manufacturers, the forestry industry — in fact, we just had a demonstration today from the forestry industry about a government program — the trucking industry, pharmaceuticals, the insurance industry, developers, brewers and wineries, oil, tobacco, and the list simply goes on. This is good business for the likes of lobbyists companies such as SAMCI,

Murray Research, Policy Perspective, Hill and Knowlton, Government Policy Consultants, Strategy Corp and others. No wonder Tory hacks from the Premier's office have ended up with these companies.

Yet when we look at who is being serviced by this industry, we will find those companies that are greatly interested in government policy, ranging from the Association of Major Power Consumers in Ontario, the Brewers of Ontario, the College of Physicians and Surgeons, the Automotive Parts Manufacturers' Association, the Fair Rental Policy Organization — an oxymoron, by the way, if I've ever heard one — the Ontario Mining Association and the Ontario Pharmacists' Association. Even a little hospital out in Carleton Place has bought the services of lobbyists to protect itself. It's a big business. No wonder those who have set up the policies of this government have moved out now to interpret these policies, if that's the right word to use.

Why do we need this legislation? We have heard from members opposite a good number of reasons: integrity of government, transparency of process. It's important for the public to know not only that lobbying is going on but lobbying for whom, by whom, with whom, and why, so that the public can participate in a level playing field with respect to how government makes its decisions. Obviously, lobbyists who have connections to the political party that forms the government can potentially have more influence than others. Yet we need legislation to ensure that government decisions can never be, or appear to be, purchased by the lobbying process.

We already know that the public has a very low opinion not only of the politicians but of the process of government and its lobbyists. For some members of the public the suspicion is that lobbyists use personal connections with officeholders to obtain special favours from government. That lies at the heart of the cynicism that's around the government process and lobbying.

We had the example of what happened with the Niagara casino. Had this bill been in place, we would have known that Michael French, who was under contract with this government to advise on the lucrative casino contracts that were going to be awarded, was at the same time on a \$100,000 retainer for one of the bidders that was rated third and ultimately won that contract. Had this legislation been in place as the government promised two and a half years ago, then this clear, blatant conflict of interest would have been avoided by a responsible government.

All of us are concerned about the kind of lobbying that goes on. We know it well. There is the lobbyist who peddles access. We have laws dealing with influence peddling. There are the lobbyists who obtain, on behalf of a client, insider information on pending government policy decisions or regulatory decisions that aren't available to the public at large. This clearly creates an unfair advantage. Such action creates an unlevel playing field. That's part of the purpose of ensuring that there is regulation for the industry. Then there are lobbyists who have expertise

in the area and can provide advice to clients. These are the majority of the lobbyists who are out there.

We have an obligation to make sure that the whole process is above-board. We have an obligation to ensure that our policies are in place so that we do not perpetuate the perception of cronyism and backdoor access to government insiders. Unfortunately, the lay of this legislation leads one to the conclusion that there has been the perception of cronyism and backdoor access to government insiders with this government.

The members of the government opposite state with great pleasure that they're copying the federal legislation, yet they don't have in this particular piece of legislation the code of conduct that would help measure lobbyist activity. The federal bill does, and for good reason. The federal bill has it because of the lobbyists code of conduct which the ethics commissioner has in the federal legislation. That is a public process that the ethics commissioner has in place to develop a lobbyist code of conduct through full public participation involving the lobbyist industry.

The lobbyist code of conduct that the feds have includes the requirement for accurate information; the requirement for the disclosure of obligations; the requirement not to divulge confidential information; the requirement not to divulge insider information; the requirement to divulge when there are competing interests; the prohibition against conflict of interest, which I will acknowledge is now part of this particular bill; the requirement to disclose the possibility of conflict of interest, which again I see in this bill, and I'm glad the government picked up on it; and the requirement not to engage in improper influence.

The government has captured some elements but it hasn't captured all of the kinds of things that are covered in the federal bill with respect to the code of conduct. Perhaps we might see this come about as this bill goes into place and we see how it fits.

These are the things that are important to safeguard for the public process. These are the things that are important to ensure integrity of government. No matter which party forms the government, there is the importance to ensure the integrity of the government process. If the federal bill, which is not the cutting edge of legislation in North America, is so good, then why does the government not embrace this important part of protecting the public interest? The object of the exercise is to ensure that not only the public's interest is being protected here but that ordinary citizens have the equal opportunity to approach their government as the private interests, the moneyed interests, whose own concerns they are presenting with their own ability to do research, provide documentation, in essence to provide a comprehensive approach to whatever viewpoint the government would want to listen to.

That's why we need transparency, not only to see who's talking to government, for what reason and on behalf of whom, but also to allow a level playing field so that all citizens can see that this particular industry is taking this particular tack with this particular government department, and to be able to provide a balance to the system that they have come forward — they can't come

forward and say yes. When the automobile industry tells you not to reduce those emissions because it'll affect the cost to their industry, there is indeed an ability for the ordinary citizen to come forward and say: "But we need to reduce these toxic emissions that are coming out of the automobile industry; we need to protect the environment, the health of our families." There is a need to have appropriate legislation in place to protect the environment.

2340

Mr Marcel Beaubien (Lambton): On a point of order, Mr Speaker: I'm quite impressed with the speech we're being entertained with tonight. I'd like to know what page the member is on in the Hansard record so I can follow it.

The Speaker: It's not a point of order. Member for Ottawa West.

Mr Cullen: It is important to cover these points because the government simply glosses over them, says it's a good-news piece of legislation. The government side only took five minutes to begin this debate and is not talking about why this is here. It's important to go over these principles because these are very important: principles of accountability, transparency, principles we would love to have seen in place, and just to take a small segue here with the previous item we were discussing under Bill 96, matters of supply. If we had transparency and accountability in dealing with the expenditure of \$800,000 of hush money, then perhaps we would have a better understanding of why the government side chose to make that expenditure despite the protestations of the other members of the Board of Internal Economy.

It's important that we discuss these principles. If these principles are so important today, why were they not in place two and a half years ago when the government first announced it was going to do this? The government announced four times that it was going to do this, yet we have it today — yes, better late than never, this is true, but it could have been done earlier. We could have avoided the other conflicts of interest that I've already enunciated.

We have to understand what we're doing here. I mentioned earlier that this is not the cutting edge. All it does is replicate what the federal legislation has. The federal legislation itself only mirrors the bottom common denominator that's in place in the United States. We have to understand that this legislation only deals with one shoe of the issue of lobbying. I have to ask my colleagues to turn their attention to what is going on in the United States. This legislation only looks at registering who lobbies and their clients and lists only the government agencies.

Do you know what? For the lobbyist industry this is just great stuff. The lobbyist industry thinks: "That's fantastic, because now I can go over and look at what my competition is doing. They've got this trucking company or that trucking company which is interested perhaps in speed limits or weight limits. Perhaps I can go to them and talk to some other organizations and perhaps get them involved in this issue. Or maybe I can go and put together a partnership and maybe come in and compete with individual companies that are involved or interested in this

particular issue: to lobby about the speed limits or the weight limits."

That's nice; that's up to them. Maybe it's fine for them to go and raid each other's clients, but that's not the point. What's missing here in protecting the public's interest is who in government is being lobbied. Are we talking about the director of policy in the Ministry of Transportation, are we talking about the assistant deputy minister responsible for trucking policy in the Ministry of Transportation or are we talking about a ministerial aide to the Minister of Transportation?

All these things have different implications. If the lobbying activity is directed towards a ministerial aide, then there's clearly competition for the ear of the minister as he makes his determination of what should proceed to this House. If it is indeed at the working level of the public servant, then of course it's important to hear from the industry with respect to this. But it's also important to make sure the civil servant is hearing from all the players, not necessarily just from the interested players such as the trucking industry but from all people who are concerned, such as Mothers Against Drunk Driving or the taxpayer; other people who might have different views about what is being transported in our communities; what are the speed limits; what are the implications of these particular policies.

What we're dealing with is really only half of the lobbyist's activity, because when lobbyists lobby somebody, they are lobbying someone in government, whether it's at the political level or the staff level. That is what's missing from this legislation.

This is an important bill. Our party will be glad to support it. It's an important first step, as was alluded to earlier. I know that the government says it is the cutting edge. I think it's an improved bill from the previous version that was put forward. I have to compliment the government for, at least in this instance, listening to the comments made by the opposition side, taking it to committee, holding the hearings and going through the proper process that would, in effect, perfect legislation.

Too many times have we seen the government come forward with other pieces of legislation and not go through that process. You use time allocation, cut out the due deliberative process that is there to perfect bills, and ram bills through without the opportunity for full public hearings, without the opportunity to hear from the opposition to present amendments and make a bill that's better for the public interest. At least in this context, we have it.

As the member for Algoma said last night when we were spending time on another time allocation motion, we found ourselves in the unique situation of dealing with a government that over the course of presenting some 100 bills has brought in time allocation 37 times, a record. Even the previous government that dealt with 163 bills came in with far less in terms of time allocation. The member for Algoma was giving us an excellent civics lesson in terms of the government process and the purpose of deliberative, democratic government: why we have first reading, second reading, third reading; why we go to

committee; why we have debate; why we go through this, the whole purpose of the exercise. The government proposes but we in the opposition have the duty to offer constructive amendments, constructive comments, and hopefully, if we are offering something worthwhile, the government does pick up on it.

I have to say to the member for Muskoka-Georgian Bay that indeed from first reading to now third reading, we have seen improvements to the bill which I think will do a better job in protecting the interests of the taxpayer in Ontario and making sure that there is indeed integrity to the government process.

I have to say, though, that people who look at the federal legislation that this government has attempted to mirror — one aspect I have to bring to the attention of the members of this House is that, even though there is a process here to allow for complaints about the lobbying process to be dealt with by an independent third party, and in this instance here in Ontario it will be the Integrity Commissioner, in the federal side, although the legislation has been there 10 or 11 years and there is an independent ethics commissioner, not one violation or complaint has been brought forward. Will the members opposite say that over 10 or 11 years there hasn't been some impropriety somewhere along the line that might deserve some kind of investigation? The reason why we don't hear this is because the public doesn't know who is being lobbied.

When this bill is put into place, yes, the lobbyists will have to register: "I am a policy consultant and I have these clients." They'll have to mention which ministry they are interested in. Certainly a notable member of the previous government, the Honourable Bob Rae, has registered. He has registered his client, Disneyland, and he has registered that he is going to talk to this ministry, that ministry and the other ministry. What is missing from this is who he talks to —

Mr Gerretsen: Bob Rae has registered Disneyland?

Mr Cullen: Yes, indeed — so that we don't know if it is at the minister's office or at the assistant deputy minister or at the working stiff who has to put together the recommendations that go up through the process. I've been there.

Mr Gerretsen: Don't call Bob Rae a working stiff.
2350

Mr Cullen: No, I'm talking about the lowly civil servant who puts this material together. I've been there. I have been in government as a civil servant reporting to a director. I've had to put together recommendations that go through the filter of my director, my director general, my assistant deputy minister, the deputy minister and on to the minister's level. What has happened? Every now and again I get that red ink piece of paper back: "Make these changes." I get it possibly from the director; I get it possibly from the director general. I get it possibly from the assistant deputy minister, the deputy minister, but I also get it from the minister's office. Some ministerial aide will red-circle the section that I've written that "in our best opinion, working in the public interest" — because that's what I am. As a public servant, my mandate is to provide

the best advice I can to the government of the day, and I'll get this red circle coming back from the minister's office saying, "Change this." Of course, as a good civil servant, I will make that change. But where did the origin of this change come from? Was it because there was competing advice elsewhere in the civil service, or was it because some lobbyist got the ear of that particular ministerial aide? Yes, we know what lobbyists are out there, but who are they talking to? This is only part of the process.

I am hopeful that when this bill passes — as our party will support and we hear that the official opposition will support, and yes, it is an advance — that we will at least pay some attention to this, because as I said earlier, this bill only covers one half of the lobbying process.

When we literally go through what lobbyists might be interested in dealing with a piece of legislation — I picked on earlier the initiative that we were longing for from the Ministry of the Environment to deal with toxic emissions. Just think: we have the oil industry and we have the automotive parts industry that have a direct concern. We also have the cancer society and the lung society equally with strong concerns. What could happen? We could find that the civil servant would canvass all those groups — that's an important part of the process — and make a recommendation that goes up the ladder and goes all through the process because the government committed itself to cleaner air. But when it gets to some particular sticking point, yes, we know that some lobbyists may have lobbied, but who? Who did they take out for lunch and say, "By the way, do you know that this is going to cost in your minister's riding so many hundreds or thousands of jobs because we're going to have to retool and quite frankly this is going to cost money"? There we have the decision-maker, because to govern is to choose, and it's important that we have the right choices before government.

The Speaker: Further debate? Would the parliamentary assistant like to sum up?

Mr Grimmett: Very briefly, I would like just like to comment that the first speaker for the Liberal Party, the member for Timiskaming, mentioned a number of items that have in fact been addressed in the amendments to the bill. He may have had the disadvantage of reading from an earlier version of the bill, and if he were to look at the bill as amended, I think almost or perhaps all of the concerns that he raised about particular details in the bill have been addressed.

The one item I wanted to bring to the attention of the member for Ottawa West is the code of conduct. We have chosen deliberately to not have that, as we discussed earlier, because we feel that the legislation should be focused on registering and dealing with the relationship between the lobbyist and the public officeholder and not between the lobbyist and the client. In fact, we didn't get an amendment brought forward by either party on that issue and that's one of the reasons perhaps why it wasn't changed.

I am pleased that it appears we will be able to bring in the toughest lobbyists' bill in Canada and we will be the first province on record that will have a lobbyist registration act.

The Speaker: Mr Grimmett moves third reading of Bill 69.

Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

It now being very close to 12 of the clock, this House stands adjourned until 10 of the clock tomorrow.

The House adjourned at 2355.

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Second Session, 36th Parliament

**Assemblée législative
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Jeudi 17 décembre 1998

Speaker
Honourable Chris Stockwell

Clerk
Claude L. DesRosiers

Président
L'honorable Chris Stockwell

Greffier
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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 17 December 1998

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 17 décembre 1998

*The House met at 1001.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

HUMMINGBIRD PERFORMING ARTS CENTRE CORPORATION ACT, 1998

LOI DE 1998 SUR LA SOCIÉTÉ DU CENTRE HUMMINGBIRD DES ARTS D'INTERPRÉTATION

Mr Silipo moved second reading of the following bill:

Bill 97, An Act to establish the Hummingbird Performing Arts Centre Corporation / Projet de loi 97, Loi créant la Société du Centre Hummingbird des arts d'interprétation.

Mr Tony Silipo (Dovercourt): Let me say, first of all, how pleased I am to have the opportunity today to present this bill, to ask for second reading passage of it today, and I will be asking, assuming and hoping this bill passes, for it to proceed to third reading for this evening.

I want to say that I'm pleased to have had the opportunity to have worked with the good people at the Hummingbird Centre, and many of them are in the gallery here, following this very important discussion for them, led by the executive director, Elizabeth Bradley, and I believe there are some members of the board and many of the staff members here. I know for them this has been a fairly long process. We are seeing here in this House what will hopefully be just the last stage of this particular venture of the legislation and then a new beginning for the Hummingbird Centre. But for people like Elizabeth Bradley and members of the board, led by Councillor Anne Johnston and others, it has been a two-year or two-and-a-half-year process in trying to get agreement to establish the Hummingbird Centre as a stand-alone entity.

That is, in effect, what this legislation would do. It would still maintain public ownership of the Hummingbird Centre, but it would sever the funding relationship from the city of Toronto, from the old Metro council but now from the city of Toronto, and it would give the Hummingbird Centre for the Performing Arts the kind of independent status they have been seeking for some time and for which there is widespread support. I'm happy to stand here and tell members of the Legislative Assembly that this initiative has the support not only of the Hummingbird Centre itself — all of the unions of people who work for the centre are comfortable and happy with this proposal;

all of the people who sustain and support the centre want to see this happen — but also at the local, municipal level; the old Metro council had approved this process, and I'm happy to tell members of the Legislative Assembly that as of yesterday the new city council has also ratified this proposal coming forward, and specifically this initiative and this legislation being approved. I want to put that on the record.

I also want to say that I have appreciated very much, from the day I was first approached by folks at the Hummingbird Centre about the possibility of my sponsoring this bill, that I have had the good fortune in this to work not only with them but with the Minister of Municipal Affairs, Mr Leach. You will know that I have been on my feet many a time in this Legislature critical of many of the initiatives the Minister of Municipal Affairs has had responsibility to carry forward on behalf of the Mike Harris government. I want to be very clear that, with the same fervour with which I have criticized the minister on other occasions and for other reasons, I want to thank him and express my appreciation for the support he has given to this initiative, because if this bill has any chance of proceeding beyond second reading, it is also because of the support he has indicated and, I hope through him, the entire Conservative caucus.

In talking with my colleagues in the Liberal caucus, I know they have indicated support for this bill. I hope we will have an opportunity to have that support expressed on the record all around, and, more importantly, I hope we will have the opportunity to get this bill through second reading this morning and, as I said earlier, hopefully put it forward for third reading and final passage this afternoon or this evening, when we will be dealing with those items.

Whether we are from the city of Toronto or from anywhere else in the province, we all know the importance of the performing arts and what they do to us and for us as a society, let alone the whole economic argument. Again, here we may have differences of opinion. In fact, we do have strong differences of opinion between our caucus, the New Democratic Party caucus, and the government in terms of how they have been handling this issue. But again let me say that when it comes to recognizing the importance of the performing arts, all of us are in agreement that they are economically and socially and culturally, obviously, an important sector in our community. Certainly the many centres that we have that provide an avenue for our many artists to perform, for our many actors to be able to put forward their talents and for all of us as citizens to enjoy and to learn and to appreciate even

further the value that comes from the variety of programming that goes on at those centres, are really crucial.

The Hummingbird Centre for the Performing Arts is certainly among the top in our province in terms of providing that avenue and that outlet for the performing arts. The fact that the National Ballet of Canada and the Canadian Opera Company both call the Hummingbird Centre their home is an indicator in and of itself of the importance this centre has in the performing arts world of not just Ontario but indeed Canada and North America.

I am even more so proud of the fact that we have this bill in front of us, that we are able, if we can get this through, to recognize that, in the process of evolution the Hummingbird Centre has gone through, they have come to a point where they believe it's important to be able to say to private donors, to people in the corporate world that they in fact stand alone in terms of not having to rely on government funding from all levels and that in fact they can and are able to do that. They do an incredible mixture of performances, as I said, from the National Ballet of Canada to the Canadian Opera Company to many other events and performances that I think exhibit the full range of our artists and people in the entire cultural community.

It's also with that in mind that I think it's important we lend our support to this initiative, that we understand that the centre has successfully managed both its operations and ongoing capital maintenance without financial support or subsidy from any level of government for over 15 years. The surpluses they have generated have gone back into improving the centre and the performances they are able to run through the centre.

1010

The goal of this legislation is to complete the establishment of the centre as a stand-alone entity with independent administration, operations and finances entirely distinct from those of the municipality or any other level of government. This bill would make that transition complete, would make that transition whole, would give the independent status that they want. That will allow the centre to build upon the key relationship that the board has already developed with corporate sponsors and donors.

Under the current structure, there is still a perception that there is a link to public funding, which I particularly would not find troublesome, but it is something that the centre sometimes finds problematic as it approaches corporate donors. This would allow that sense of independence to be completed, to be cemented and would allow the centre to go on to do an even greater job than it has managed to do to this date.

I want to say that I am particularly pleased that in the transition the centre will still remain city-owned. In fact, any changes in the future that may be contemplated with respect to other uses of the centre will still have to be determined in the public realm. I think that is important to put on the record and to state that this is not disappearing.

Second, I'm also pleased to note that in the transition the old employment relationships remain as they are; that is, there are a variety of workers, represented by various unions, who do all of the work behind the scenes, if you

will, to ensure that all the performances run smoothly in the front of the house, and throughout, as you can imagine in a performance house like the Hummingbird Centre. In fact, all of those employees are being transferred and will continue to have the same employment relationship the day after this bill would get royal assent as they have at this moment in time.

Overall, this enshrines the importance of the Hummingbird Centre within our community. It says, by passing a bill that sets it up as an independent body, that it has evolved to a point where it is able and willing and wishful to carry on its affairs, still responsible to the public but responsible in a way that will not call upon the public coffers for funding. I think that is significant.

I just want to pay tribute to all of those who have done all of the work up until this point so that I have had the good fortune to be able to stand here today to present this bill. I hope this is a bill that will get unanimous agreement by members from all three caucuses.

Mr Michael Gravelle (Port Arthur): I'm very glad to lead off debate on the Hummingbird Performing Arts Centre Corporation Act on behalf of the Liberal Party.

My leader, Dalton McGuinty, and members of the Ontario Liberal caucus are very pleased to give our wholehearted support to this bill, and we certainly encourage the government members to do so as well and we look forward to hearing them speak on this bill very soon.

First of all, I would like to congratulate the member for Dovercourt for bringing this bill forward. Not only does it give us, as legislators, the opportunity to give something to the board and the staff and volunteers of the Hummingbird Centre that they have long been seeking, it also allows us the chance to thank them and the artists and performers using their facility for the excellent work they continue to do to enrich the lives of all those who pass through their doors.

I would like to also acknowledge and welcome many of our friends from the board and staff from the Hummingbird Performing Arts Centre who are joining us today for this debate. I'd like to particularly welcome councillor Anne Johnston, chair of the board, and chief executive officer Elizabeth Bradley and many others for being here today.

The Hummingbird is a magnificent cultural facility in the city of Toronto with a long and proud 38-year history as a leading multi-use performance venue for the people of Toronto. The Canadian Opera Company and the National Ballet of Canada are currently resident companies that use the Hummingbird Performing Arts Centre for their world-class productions. Touring companies, individual artists and performers, many of the leading Canadian names from the world of theatre, drama and music have bowed on the stage of the Hummingbird.

If I may say, as a young fellow from Thunder Bay, Ontario — Port Arthur at the time — I remember being quite excited, as an 11-year-old boy, coming down to the Hummingbird, previously the O'Keefe Centre, and seeing

a production of *Hello, Dolly* with Mary Martin in a road show in 1961. It was —

Interjection.

Mr Gravelle: It wasn't Carol Channing, it was Mary Martin. It was an extraordinary, wonderful experience and a big thrill. And may I say, as a result, I think all of us across the province have been familiar with the Hummingbird for many years because of those kinds of things. Also, my sister, Elizabeth — I'm proud to talk about her — was a member of the corps of the National Ballet and I had the opportunity to see her perform at the centre many times in *The Nutcracker*. I think all across the province the Hummingbird, previously the O'Keefe Centre, is something that's been part of the tradition of all of us in this province.

In most respects, this bill is a housekeeping bill. It's a bill that will give the board the autonomy it needs to forge stronger private sector partnerships and the means to attract new investment. It's a bill that had the support of the former Metro council and, as of yesterday, I understand, the unanimous support of the current city council.

It's a bill that will lead to the establishment of a stand-alone entity that will be governed separately and distinctly from the city structure, but where the city will retain ownership.

It's a bill that finally acknowledges that the Hummingbird is a facility that has managed both its operations and ongoing maintenance without any financial support or subsidy from any level of government for over 15 years.

This bill presented by the member for Dovercourt is in fact a win-win-win proposition. It's a win for the board of directors, who have long sought for governing autonomy and who will now be able to forge ahead in new, exciting directions. It's a win for the city of Toronto, which will still be able to proudly point to the Hummingbird Centre as a significant cultural investment held in trust by the people of the city. It's a win for audiences who will continue to be treated to the best in live musical and theatrical performances, like the National Ballet of Canada's *The Nutcracker*, an annual Toronto tradition currently on stage at the Hummingbird.

This is a good bill, it's a positive bill and a bill that I am sure all of us in the House are happy to support.

However, if I may, with the little bit of time that I have left and with the indulgence of our guests here today and the members of this Legislature, I want to bring some focus to issues that affect not only the broader arts here in Toronto but all arts and cultural communities right across the province. These are issues that I think seldom get the debate they deserve. Based on the enormous impact that this government's actions have had on the overall health and vitality of our cultural infrastructure, I think they're issues that seldom get the debate they truly demand.

I think everybody here in the House realizes, but perhaps this is a great opportunity to state again, that Ontario's cultural sector is made up of thousands of cultural organizations including the publishing industry, film, television, professional theatres, non-professional theatres, art galleries, museums, individual artists.

These organizations and these individuals contribute \$12 billion to the provincial economy each year. These organizations and individuals provide jobs and employment for 265,000 cultural workers in Ontario. For a very modest public investment, they contribute in an extraordinary way to tourism and community development efforts.

But for the last three and a half years and certainly for the years that I've been critic for arts, culture and heritage, I've been concerned about the fact that this government doesn't really want to talk about it and it really doesn't even want to hear about it. They certainly don't have the attitude that I think is expected from the arts community. They seem at times to ignore the tremendous value of the arts in this province and have left the organizations in a very difficult position.

A recent arts fact sheet confirmed what has been feared for some time now: This government's constant attacks on arts and culture have led to the current situation where Ontario is now ranked 10th out of 10 provinces on per-capita spending on the arts. That might startle people, and indeed it should, especially in a province where we've always been so proud in terms of arts, culture and heritage activities.

We know that one of the more alarming cuts to the system has been to the Ontario Arts Council. Since 1995 there's been virtually a 50% cut in support to the Ontario Arts Council. That is a level of cuts that has had a profound and devastating effect on the arts, culture and heritage community in this province. Certainly, we know it has meant that many organizations are really left very much in a survival mode.

1020

I want to argue once again that this government needs to understand that the Ontario Arts Council really is that linchpin of the cultural support that is expected from this province, and it's got a long and noble tradition. I believe that the minister and this government and Mr Harris need to understand that those caps have had a devastating impact and may indeed affect the future of artists who may someday be performing on the stage of the Hummingbird Centre.

We really want to understand how we can change this. As the critic, I have had the opportunity to move around the province in the last year or so and talk to thousands and thousands of people in the arts, culture and heritage community, and they've sent us a message, that I want the members of this Legislature to understand. I know that my party, the Liberal Party, understands very fully that arts, culture and heritage do matter very much to Ontarians.

We heard a strong message as we went around the province, and we believe in a very real way that this is support that all the people of the province would be behind, the kind of feeling that the arts, culture and heritage community has. We certainly heard that the provincial government must have a leading role to play in protecting, promoting and developing Ontario's cultural and heritage identity, but the feeling out there is that the current government has no vision for culture and heritage in this province.

We heard that the provincial government should recognize the tremendous economic and tourism benefits of a healthy cultural infrastructure made up of not-for-profit arts organizations, institutions and cultural industries, but this government does not appear to care about the \$12-billion economic contribution of the sector.

We heard that the provincial government should be concerned about the loss of Ontario's built and natural heritage, particularly as we sit at the cusp of the 21st century, yet we have heard many concerns that this government has not done much to prevent the continued erosion of Ontario's heritage resources.

We heard from them that the provincial government should take pride in the work of our artists, our actors, our writers, our dancers, our musicians, our singers, our composers, our film and video makers, and our book and magazine publishers. We heard that they should be proud of the good things done to bring arts and culture to Ontario communities.

More importantly perhaps, we heard that a stable public investment in the arts, culture and heritage is as good for our economy as it is for the vitality and vibrancy of our communities and as it is for the high value we all place on what it means to be Canadian.

Ontario has always had a rich history of being in the forefront of cultural development in Canada. We have the most artists, the greatest institutions, the best public libraries, the most creative and expressive arts and culture community anywhere in Canada, but our concern, and what we heard out there, is that Mike Harris does not care and will not care unless we continue to put the pressure on.

Ontario Liberals certainly believe that arts, culture and heritage do matter to Ontarians. We believe that arts education in the schools is important to developing future artists and audiences. We believe in the importance of citizen access to arts and culture opportunities and that the creative talents of all Ontario citizens should be nurtured and developed.

I am glad to have an opportunity to express some of those feelings. Certainly another member of our caucus will be speaking as well. I wanted to have that opportunity to talk in those terms, but returning to this particular piece of legislation, once again we are proud to be very supportive of this bill by the member for Dovercourt and will stand here in loud support of letting this happen so that they can continue on with their fine work.

Mr Rosario Marchese (Fort York): I too want to have a few moments to say that I support this bill presented by my colleague from Dovercourt and want to establish my own connection to the cultural sector and say that I was the Minister of Culture in 1990-91. At that time we had some very serious difficulties. As people will remember, that was an economic recession that hurt this province a great deal, and the cultural sector, of course, was equally affected by that recession. It was for that very reason that New Democrats at the time believed that we needed to play, as a government, a strong role in culture. That is why we gave \$7 million to the Ontario Arts Council, to its base, because we felt it was an important

organization that funds individuals and funds other organizations of all disciplines in the cultural sector, and we thought that was the most important thing that governments could do to support our culture.

We also at that time supported book and magazine publishers who we knew were struggling to survive, as a result of which we created a magazine and book publishing centre. It was a \$5-million centre designed to support publishers that were really on the decline, were falling apart, were going bankrupt, and unless governments got involved at that time, we would have seen the devastation of the publishing sector in magazines and books as well. That is the connection we have had, as the New Democratic Party, to the cultural sector. I wanted to say that as a way of expressing my appreciation for the arts and as a way of saying that New Democrats believe in a strong role for government in supporting the cultural sector.

In this regard, as it relates to the Hummingbird Centre, we, the province, are asked for no particular financial support; that's not what this bill is all about. It is one of the most important cultural centres in the GTA. I suspect each and every one of the members of this House has attended some performance or other at the Hummingbird Centre, as the result of which many people understand its value to them personally and the value that this cultural centre has to the economy of Toronto, the GTA and Ontario.

What they seek is obviously an autonomous governance structure, something that the member for Dovercourt has already spoken about, so there's no need to belabour that point. The fact is that there are no enemies against this proposal. Normally, you would know that there are many sides to a particular bill and there are many who oppose it. In this proposal that is before us, there are no conflicts that I'm aware of, there are no enemies that I'm aware of. The former Metro government obviously supported this move and the new city of Toronto, I believe yesterday or the day before, has agreed to this proposal, so we don't see an enemy out there that needs to be either listened to or fought.

That is why we feel that government here, the members today should support it. Hopefully the member for Scarborough East will arrive soon so that we can hear his comments, but I'm assuming that he's very supportive, given that the Minister of Municipal Affairs and Housing is equally supportive. I would like to hear his comments, but again, I don't foresee any division or difference from the member for Scarborough East. There is no municipal resistance, they indeed support it, and no provincial resistance, because our role here today is administrative in nature, that is, to permit them to go ahead, so I don't foresee any problems.

I remind the House and those listening to the program that the Hummingbird Centre has received no financial assistance from the province, or the city as far as I can tell, for the last 15 years, so there are no financial obligations to each other, which should facilitate the desire for this board to have the autonomy it needs.

Again, I remind Conservative backbenchers, because it's something they may not be aware of, that during the New Democratic Party reign, we passed a total of 17 private members' bills, and I can recall a debate on TVO. I thought Mr Stockwell was one member I debated with and Peter Murphy, from the Liberal Party, was the other member.

Mr John Gerretsen (Kingston and The Islands): Tim Murphy.

Mr Marchese: Tim Murphy. Let's not say any more about that. Tim Murphy, a former member of this House —

Ms Marilyn Churley (Riverdale): He lives in my riding now.

Mr Marchese: He lives in Marilyn Churley's riding, and I suspect he'll be supporting you, Marilyn.

We had this debate on TVO about this move that the New Democrats have made, that is, to support a lot of private members' bills, 17 private members' bills. Mr Newman, you should take note of this. We passed a record number of private members' bills, and I remember the host, Steve Paikin, saying to us, "Do you believe this is a sign of the times?" I said, "I think it will be; I think it should be." But I'm not sure the Tories on this bench have taken note of this or have any recollection of that part of our history. It should indeed be a factor to consider, that governments should be able to support a lot of private members' bills, because in their very nature there tends to be a great deal of support for private members' bills, by and large — as indeed with this bill here, where there is absolutely no conflict whatsoever.

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Our fear with many of these private member's bills is, of course, that while the members here might support it, they might decide there's no time to deal with any particular bill: We won't have to deal with it, or we can pass it on to the next session. This is one particular bill that needs not be put off to another session. Frankly, I'm worried that we may not have another session. It's for that very reason that I urge my friend and colleague Mr Newman to support this very strongly, because we have all-party support; we have the full board here — I suspect it's almost the full board, if not the entire board; and we have some city councillors here — Anne Johnston is here, who's obviously speaking for many of the other city councillors.

They want this autonomy. There is absolutely no reason for me or any other member here to resist it or fight against it. If that is the wish of this board and it is the wish of the city council, we should permit it. Hopefully, we'll move to third reading this afternoon.

Mr John L. Parker (York East): It's my pleasure to have this opportunity to add my voice in support of this bill that's before us this morning, the bill concerning the Hummingbird Centre for the Performing Arts.

Let me begin my remarks by acknowledging the tremendous challenge to my political career that I face in this position, standing in as I am for the redoubtable member for Scarborough East. This is his speaking position in

rotation, and I'm humbled to know that in his absence I am stepping, as it were, into his shoes to register my unqualified, unrestricted and unfettered support for the bill that has been brought forward this morning by the member for Davenport. I add my words to those of the members for Fort York and Port Arthur, who have already spoken quite fully in favour of the bill.

This bill concerns the Hummingbird Centre for the Performing Arts, which is a major venue for the performing arts in downtown Toronto. Certainly, residents in the Toronto area are entirely familiar with the Hummingbird Centre and are familiar with the name change that took place just a few years ago. Elsewhere in the province, the name Hummingbird Centre might not be quite so well known and so well recognized, but I have no doubt that throughout the province the name O'Keefe Centre resonates with great memories and tremendous visions of the importance of that venue.

That is the building we are talking about, the building which opened in about 1960 with a donation from the O'Keefe company to the people of Toronto. It opened at that time under the name the O'Keefe Centre, and operated for many years under that name. As I recall, it opened with a performance of Camelot, featuring Richard Burton, Robert Goulet and Julie Andrews. That was certainly a performance that went on to great renown after a long run on Broadway, but it opened here. It began in Toronto at the O'Keefe Centre, currently known as the Hummingbird Centre.

From that auspicious beginning, the Hummingbird Centre has gone on to triumph after triumph and, as has already been noted, has been the venue for international performing artists of great reputation. The greatest names in the performing arts field, with international reputations, have all performed on the stage of the Hummingbird Centre. Many people in Toronto and, as we have heard, from all around the province and indeed from outside the country have come to the Hummingbird Centre to see the performances that have been put on there. The Hummingbird Centre, as has been noted, is the venue not only of Broadway performances, but also of more locally focused performances, and is home to the Canadian Opera Company and the National Ballet.

I'm old enough to remember when the Hummingbird Centre opened under the name of the O'Keefe Centre. My first memory of the O'Keefe Centre was attending a performance of Treasure Island. My memory of that performance, although I was quite young at the time, is very vivid in my mind still. I couldn't understand at the time why a theatre would open a brewing company on the side, but my understanding of that particular situation has increased over time and now I understand that it's a computer software operation that is operated on the side by the theatre.

The significance of the bill before us today is that it marks a landmark in the history of this very important institution. The Hummingbird Centre is owned by the people of Toronto, has been from the start, but it has always been managed under the auspices of the municipal

authorities in Toronto. For many years it operated under a subsidized arrangement from Metro Toronto, but I'm very pleased to note that for quite some time now, about 15 years, the Hummingbird Centre has operated in the black, without the need for subsidy from the taxpayers of Toronto. It is a viable institution in its own right, standing on its own feet, still owned by the people of Toronto, still managed for the benefit of the people of Toronto, but operating without the need to go to the people of Toronto for a constant subsidy, which is the concern that often arises with other publicly owned theatre ventures.

If I can just digress here and respond to a comment that we heard from across the way, I'm disappointed that in a bill that has unanimous support, certainly support from all three caucuses here this morning, the discussion has already ventured into the partisan political area. We've heard the comment that Ontario is 10th out of 10 in support for the arts. If you choose statistics the way you want to, you can make your statistics prove just about anything you want. Some people will measure a community's commitment to a purpose in terms of public dollars that are directed to that purpose, but what we have here in Ontario is the most thriving arts community in the entire country. The Hummingbird Centre is a stellar example of that point. For the last 15 years, without a nickel of public dollars, the Hummingbird Centre has been home to numerous performances of outstanding artistic quality, none greater in the world than the Canadian Opera Company and the National Ballet, but they don't stand alone in the significance that the performances have taken place at the Hummingbird Centre without a nickel of public dollars to subsidize the operation of the Hummingbird Centre.

It's a recognition of the degree of maturity that the Hummingbird Centre has reached and the importance it occupies, not only in Toronto and in the greater Toronto area but, as we've already heard, well beyond the greater Toronto area, to communities throughout the province and indeed the significance that the Hummingbird Centre serves as a cultural attraction and a tourist attraction, bringing theatregoers from across the border to Toronto to see the performances that take place at the Hummingbird Centre. It is a recognition of that degree of maturity that the Hummingbird Centre has achieved that this bill comes forward today, because what this bill does is to establish the Hummingbird Centre clearly as an independent organization on a non-profit basis, operating for the purposes of the general public, still owned by the general public but not with any expectation that it will be reaching out to the taxpayer for an ongoing subsidy.

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Putting the Hummingbird Centre on an independent footing, which is what this bill does, equips the Hummingbird Centre to operate independently, on its own, and to attract private assistance where it's required, where it's mandated and where it's appropriate. Putting it on this independent footing sends a signal to the vast and enthusiastic charitable, philanthropic community in Ontario that the Hummingbird Centre is a worthy cause for them to

support. It is not a matter of displacing taxpayers' dollars in subsidizing the operations of the O'Keefe Centre and it's not supplementing taxpayers' dollars, because taxpayers' dollars will no longer be involved in supporting the operations of the Hummingbird Centre. It will be a stand-alone operation and it will be worthy of support by private philanthropic donation. That marks a great milestone in the life of that important institution.

The model that is represented by this new arrangement for the Hummingbird Centre isn't altogether a new one for my community. In my community of Leaside, on a modest scale, we have the Leaside Memorial Gardens, which was begun many years ago in the old town of Leaside as a community centre, a community resource owned by the community, operated for the benefit of the community and run by a community board; not by the municipality but by an independent board drawn from the community, serving the community, responding to the community and reaching out to the community from time to time for assistance where that assistance has been merited; a board that does not answer to the municipal council but that answers to its membership and to the needs of the community directly.

That's not a lot different from the model we have represented here before us in this bill for the new operation of the Hummingbird Centre. The board of directors of the Hummingbird Centre will consist of 12 members, but only three of those members will be appointed by the municipality. The other nine members will not be appointed by the municipality and the board will not answer to the municipality in the way that the current board is required to. I'm pleased to note, by the way, that the current board is well represented in the members' gallery this morning. The CEO, Elizabeth Bradley, and the current chair of the board, Anne Johnston, are here with us this morning. They've been recognized already, and I add my welcome to the words of welcome that have already been extended their way.

I'm pleased that the current board is very supportive of this bill. I'm pleased that the minister is supportive of this bill, and I'm delighted to note that by the comments registered so far this morning it appears that this House will be unanimously supportive of this bill.

Mr Speaker, thank you very much for this opportunity to add my voice in support of this very significant bill on behalf of a very important Toronto landmark.

Mr Gerretsen: Let me first of all congratulate the government on its brilliant strategy this morning in having the member for York East take the lead on this rather than the member for Scarborough East. I think this is just a brilliant move. It gets the House in the right frame of mind to deal with the issues that we deal with on a last day like this.

When we were talking about memories of the O'Keefe Centre or the Hummingbird Centre, it brought back memories to me. I hadn't realized that I actually saw that first production of Camelot. I don't mean the very first one, but sometime —

Ms Churley: Which one?

Mr Gerretsen: The one with Richard Burton back in the 1960-61 season. I didn't realize the theatre had just opened. I was just a young fellow, with our grade 13 class from my community, as a matter of fact. Later on I can remember seeing Harry Belafonte there.

Then years after that when my wife and I lived here in Toronto during my later student years for a short period of time, about a three-year period of time, my wife and I got very much interested in the opera series that always take place in October and November and I can remember we used to get rush seats. You used to be able to go up to the theatre about 15 minutes before the opera actually started and get rush tickets, sometimes for the best seats in the house that for whatever reason weren't picked up. If memory serves me correctly, these tickets were very, very inexpensive, something like \$3, \$4 or \$5. Of course, it was a number of years ago, but they were very inexpensive, less than half the cost, or even less than that.

We all have memories of the O'Keefe and now the Hummingbird Centre, and I guess what that underlines more than anything is that this is truly not just a Toronto theatre for the performing arts. People from across Ontario have enjoyed the performances there, from across Canada and, as has been mentioned before, from across the border as well.

I think in times when the financial situations of governments get tough and when the financial situations for individuals get tough, there is always a tendency to cut the arts and cultural and heritage programs first, not just by this government but by any government. I've seen it happen at the local level; I've seen it happen undoubtedly at the federal level. But I really think it is just as important that people have an understanding of their culture and partake of the cultural activities and have an understanding of their heritage and partake of that as well as any other program that governments are involved in.

I firmly believe that, and sometimes I think we underestimate the small seed money that is required to get an entire program going. I know that quite often in any kind of fundraising that we were involved with for arts and cultural matters, for example, at the local level, the question that always came up when you went to a corporate organization was, "How much is the municipality going to put into this?" They wanted to see that seed money.

We're talking here about a very successful centre that for the last 15 years, I guess, has basically operated without public funds. What we tend to forget is that most of the arts and cultural grants that the province is involved with are for organizations that really need that money, because we're dealing with young, struggling artists in a variety of fields that need that extra push and that extra benefit. I really think that for the amount of money we're talking about in the totality of things — for example, the museum grants are down to \$4 million in the 1998-99 budget and the Ontario Arts Council is down to \$25 million. It's not a drop in the bucket at all, but when you look at it in the total amount of money that's spent by government, it certainly is not a large amount in that sense. And when you look at the stimuli that this brings to

the artistic community, I think this is something we should really take a very hard look at and government should not take the opportunity whenever it can to cut these various programs.

We totally support it, and we also hope that this government will bring in a new Ontario Heritage Act as they promised to do when they were elected in 1995.

Ms Churley: It's my pleasure to be able to speak this morning in support of Bill 97, An Act to establish the Hummingbird Performing Arts Centre Corporation, and to also thank the member for Dovercourt for bringing it forward. I know that the members of the board and staff and people involved have been waiting for this for some time.

I want to welcome Anne Johnston, the chair of the board, and the CEO, Elizabeth Bradley, and would like to say that it's a pleasure to have Anne Johnston here. We were sort of colleagues some years ago, although she was on the then Metro council and I served on city council. May I say that it was always a pleasure to work with Anne. I know how devoted and committed she has always been to the arts, and I'm delighted that she's now the chair of the board of the Hummingbird Centre.

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I also want to particularly thank the lawyers for drafting this bill, and I want to thank them for being a little bit late in getting the wording correct. Because, and let me drift away from this bill briefly, the wording wasn't quite ready for last week, which was when Mr Silipo was going to present his bill, I was able to slip in the little space created and get second reading on my adoption disclosure bill, Bill 88. I must say that I'm very thankful for that, because I might not have been able to bring that bill forward if the lawyers hadn't been having a little bit of difficulty, I understand, in getting the wording right. So it's a win-win situation for all of us. I'd like to say as well that when my bill was debated last week, it got second reading on a 57 to 3 vote, I believe.

I would say to the people who are here today from the Hummingbird Centre that you are witnessing a very rare occasion in this Legislature, and that is peace and harmony among all three parties on this bill.

Mr Dan Newman (Scarborough Centre): It's Christmas.

Ms Churley: It is Christmas, but it's more than that. Obviously we all support your bill, and my understanding from the member for York East, whom I must congratulate — I think he did a very good job standing in for the member for Scarborough East, and we were delighted that he was able to stand in for him this morning, because we now know for sure that this peace and harmony is going to stay within these walls this morning. Of course, he could come barging — oh, I'm not allowed to talk about the fact that he, I'm sure, was detained beyond his control this morning.

Anyway, I'm delighted and I suspect, from what the member for York East said, that in fact we will go ahead this morning and allow this bill to go to third reading, because there is some concern that we may not be coming

back. I certainly hope that we do because, again coming back to my private member's bill, however briefly, I'd like to thank the government House leader for promising yesterday that if the House does prorogue, he will allow my bill, the adoption disclosure bill, on a special motion to be carried forward notwithstanding the House proroguing. I really appreciate that.

You may wonder why we are even having this debate this morning, because we all do agree. We do want to be on the record as supporting this. Three of our four Toronto members in the NDP caucus are here this morning to speak to this bill, and the member for Beaches-Woodbine would be, but she has a friend who is very ill and she was not able to be here this morning. But she wanted me to extend her congratulations and good wishes.

To the member for York East — and I want to say this very briefly, because I agree that in a bill like this which we all support, we shouldn't get too political — I just want to say that we're not playing with numbers and statistics here. It is an inescapable fact that the Harris government cut about \$15 million from the Ontario Arts Council, I think from about a \$45-million budget, whatever. It's not a whole lot of money for the entire arts community. I mention that because it's significant in terms of what we're doing today. These cuts, and cuts overall across the system, do affect young and emerging and new artists, and there's more, I would say, competition for the charitable dollar out there, not just in the arts community but throughout the community as a whole. That's why I think this bill is even more important, and that we pass it today.

The fact that the Hummingbird Performing Arts Centre has not had to use any government funding from any level for 15 years tells us that they certainly are in a position to be able to continue fundraising from the private sector. They've proven that over the past 15 years, and it would be very foolish indeed to allow the perception, when they are out there fundraising from the private sector, that they are getting funding from Toronto council when in fact they are not. The fact that they could end up not being able to get some of those dollars through a misconception is very foolish, so it's absolutely essential that this bill be passed, and passed quickly.

I would like to again thank the member for Dovercourt for bringing this forward today.

Mr Frank Klees (York-Mackenzie): I too rise in support of this bill before us. It's always a real privilege when a member is able to bring forward a bill of this nature, because I believe there is going to be broad support from all three parties for a bill that makes ultimate sense to an organization that has served our very broad community so well.

I don't live in Toronto. I live in the wonderful town of Aurora and represent the riding of York-Mackenzie, but I can tell you that many people from across the GTA come into the heart of Toronto largely because of attractions such as the Hummingbird Centre and the wonderful presentations that are made there.

I had much to say today, but my friend Mr Parker waxed so eloquent and, as usual, cut into my time. I was

hoping that this could be my stepping stone on to that stage, because there are certainly people here today who, had they heard my soliloquy, I'm sure I would have had some calls. I can only say that you have wonderful seats here today as members of the board and the very senior people. We trust that when we come to the Hummingbird Centre you will accommodate us likewise, and perhaps at the same price.

Welcome. We look forward to passing this bill. I leave some time for my colleague from Durham-York.

M. Gilles Bisson (Cochrane-Sud): J'aimerais additionner ma voix à ce projet de loi introduit par mon collègue M. Silipo. Pour ce qui est important dans ce projet de loi, c'est pour créer une structure indépendante pour la Société du Centre Hummingbird ici à Toronto.

Je veux que le monde en comprenne l'importance, parce que c'est très difficile. Il y a une perception que l'argent pour ce Centre est payé par la ville de Toronto et payé par les contribuables, mais ce n'est pas la situation. Comme on le sait, nous à cette Assemblée, ce Centre fait tout son financement à travers des prélèvements de fonds, et la raison pour laquelle ils ont besoin de cette indépendance à travers ce projet de loi, c'est pour avoir l'habileté, quand ils font leurs prélèvements de fonds, de dire, «Nous sommes une entité séparée. On n'est pas financés par la ville de Toronto ou par la province de l'Ontario avec des gros chiffres, et il est important que vous venez nous donner le support nécessaire avec vos dollars pour qu'on puisse continuer nos activités.»

C'est pour cette raison que le Centre Hummingbird veut avoir cette indépendance. Ce ne pas parce qu'ils sont en chicane avec la ville de Toronto, très le contraire. C'est pour leur donner la distinction d'être vue comme une organisation séparée. Quand ils font les prélèvements de fonds, ça devient beaucoup plus facile et beaucoup plus subtile quand ça vient à être capable de rechercher l'argent dont ils ont besoin.

Mrs Julia Munro (Durham-York): I simply want to add my congratulations to the member for Dovercourt for providing us with this piece of legislation today. While many have spoken on a personal basis about the Hummingbird Centre to reminisce, I would like to take this opportunity to talk for a very brief moment on the future. As someone who has a nephew with the National Ballet, I recognize that this is a most important institution within our cultural community which steps out into the economic and social life of our city and in fact our province. I want to compliment you on bringing this forward today, and certainly support it.

The Deputy Speaker (Mr Bert Johnson): The member for Dovercourt has two minutes to wrap up, but before he does, I didn't want you to think that I was culturally deprived. I come from 100 miles away, and my wife and I will never forget the performance by that icon of music, the man with the musical trumpet, the late Louis Armstrong, in your centre.

The Chair recognizes the member for Dovercourt.

Mr Silipo: Speaker, dare I say that this is what private members' public hour should probably be more and more

about? It's a position that I've held from the first day that I stepped into this Legislature, and I'm really happy to see that we were able to come together on something like this that gives the Hummingbird Centre its unique independent status.

Let me just thank a few people in the remaining moments that I have. My colleague and friend from Riverdale mentioned the lawyers, and she's quite right that the reason we are dealing with this issue now rather than last week is because we wanted to make sure there was 100% agreement and consonance between the city of Toronto, the board and the ministry. Again, I want to thank the minister for making that commitment, and particularly in this case for making the legal counsel from the ministry available to work with the legal counsel from the city and our own legislative counsel.

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I want to personally thank the lawyers who actually worked on this from the ministry, Hal Linscott and Tom Melville; from our own legislative counsel, Cornelia Schuh and Susan Klein; and from the city of Toronto, Allison Fowles. What we see here in front of us is the product of many hours of work that they have put together, which obviously builds on the many years of work that has come through the Hummingbird Centre and the kind of dedication of the members of the board, led by councillor Johnston, who's here; Michael Prue, Maria Augimeri and others who have served through the years; obviously, as well, the general manager and chief executive officer, Elizabeth Bradley; our own assistant, Carolyn Gloude. Let me thank lastly my own legislative assistant, Carmela Sasso, who has done a lot of the running around, back and forth, to get this bill to this point.

I thank members of the House for the all-party support for this important piece of legislation which will give the Hummingbird Centre the future stepping stone that they so well deserve.

PROTECTION FOR HEALTH CARE WORKERS

Mr John Gerretsen (Kingston and The Islands): I seek unanimous consent to be able to read the motion into the record and that Mr Kennedy's leadoff speech be set down until later.

The Deputy Speaker (Mr Bert Johnson): Mr Gerretsen has asked for unanimous consent to read in the motion before us. Is there consent? It is agreed.

Mr Gerretsen: Thank you very much. I'd like to thank the government members for the generosity they've displayed this morning on two separate occasions now.

The resolution reads as follows:

That, in the opinion of this House, since individuals, organizations and corporations who provide health care have a unique role in shaping both the public's understanding of, and policy within, the health care system; and

Since in an era of rapid change it is crucial there be sufficient information to ensure the public is protected at all times; and

Since these health care providers are presently restricted by a variety of direct and indirect strictures and pressures from publicly raising issues in Ontario's interest that are discerned in the course of their duties; and

Since the resulting lack of openness in the health care system results in mistakes that could be readily prevented;

Therefore, the government should take immediate legislative action to guarantee these care providers who in good faith apprehend that the safety, wellbeing or dignity of present or future patients is or will be compromised and be allowed to speak responsibly within the public forum without any reprisal to health care employees by their employer or to health care employers by the government.

The Deputy Speaker: Pursuant to the standing orders, the member for York South has 10 minutes.

Mr Gerard Kennedy (York South): It is my privilege to support and to introduce, with help from the member for Kingston and The Islands, this resolution today.

It is an extremely important time in the development of health care in Ontario and it is vital that this institution, the Legislature of Ontario, provide to the health care workers of this province some sense of where we stand in relation to the situation that they face, because what we have in Ontario today, I think all parties can agree, is a circumstance of rapid change, so that, for example, the Ivey school of business talks about it as an unprecedented effort in terms of the kinds of things that are happening in the hospital corridors, in the rooms and the various other organizations that are trying to provide health care.

What it means for us is an appreciation of what it is that the doctors and nurses are facing both in terms of the individual challenges they have for their skills and their abilities as health care providers, but also for the climate in which they're operating.

What we find in Ontario today is a climate that precludes the safety of patients in a very significant way. Nurses and doctors find they're not in a position to express their true feelings about the circumstances that are facing their patients, and for each of us recognizing in our constituencies how much our local families, the elderly, the people who turn to the medical system most often, depend on the opinions of health providers in terms of trusting the system which we in this Legislature have the ultimate responsibility for.

It is, therefore, vital that there are no barriers in the way of doctors, nurses, nurse assistants and the health organizations themselves in fully joining the debate, in being able to express to our local public, to the people in our areas, as well as ourselves and the government in its capacity, the information we need to know about what's really happening as a result of health changes, the difficulties that could happen at any time in any era, but particularly now. The goal of this motion is to enhance patient safety. The method to do that is to ensure that the reprisals against individuals and organizations are prohibited if they're speaking out responsibly and in good faith about health matters of which they have direct knowledge.

The trust that the public puts on health care providers is, of course, instructive to us as elected officials. I think some of the recent polls have shown that doctors and nurses enjoy respect ratings of around 65% or 67%, whereas politicians sit around 9%. I think the important thing is that there is a place and a purpose for nurses and doctors to be able to speak out, not just on their own behalf but certainly on behalf of their patients. Their ability to do that should not be left to coroners' inquests of the type that just concluded in Mississauga looking into the circumstances of the death of five-year-old Kyle Martyn. We don't want health professionals only to be able to tell us their considered opinion about what is happening because of changes or alterations in the health system after the fact. That's simply not good enough.

Health professionals now have that duty under the regulations of their professional colleges to speak up, to talk about those things, and there are processes to deal with that. What there isn't provision for is the ability for nurses and doctors to really have a voice when changes are taking place in so many important areas.

The recent news around difficulties for a high-risk delivery, for example, in Toronto, when you look into that situation facing the Bouffard family, where triplets had to be delivered in Kingston, 300 kilometres away, it wasn't a one-off situation. It wasn't a circumstance, a confluence of fates, where somehow they found themselves in that difficulty. To the consternation, I'm sure, of every new parent, they need to know that the professionals who work in that system — Dr Clifford Librach, who brought the situation to light, and Dr Barrett, who's the head of the multiple birth clinic at Women's College, had prior and standing knowledge that there were not enough neonatal beds. They, as well as the nurses who work in that unit, know that there simply are not enough of those beds open. It is extremely important, and I think it should not intimidate any member of the government, any member in this House, to have that knowledge spoken of and put out there publicly so that we can have a fair and open debate about the changes which are taking place in the health system. I'm sure it was not a matter of point of pride to the government when the Premier had to call the Bouffard family and basically apologize or relate that he wished it hadn't happened.

Today, we have a resolution which would have the government act in a fashion that would ensure that some of those things could not happen. What is happening today we've only learned because of this near tragedy, this four-hour ambulance ride that the Bouffards had to take to get from Toronto to Kingston, all through which they ran the risk of those triplets dying, because if they were delivered en route they would not have survived. The reason they were traversing that route was because the equipment to keep those new infants alive did not exist in all of the greater Toronto area.

It's extremely important that we recognize that this is a public safety measure that we in this Legislature need to take. I know some of the rationale for this may be difficult in terms of government members, but I don't think it

should be. In other words, recognizing that there are changes in the system, that some areas have been cut back, that there's lower job security for nurses — for example, members of the public may not be aware, but when we hear about more money being spent in health care, a very large amount of that, in fact in the last two years, \$410 million, has been spent to fire nurses, to lay off the very people whom we would like to be able to have the confidence to tell us what is happening in the health system. Instead, they're working in a climate where that's extremely difficult, where doctors no longer have the assurance that they will have privileges at the organizations they need to in order to practise their craft. The hospitals are now not able to offer privileges to the doctors who had them before. When all 45 hospitals slated by this government close, that is certain to be the case.

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All that needs to be accepted about those conditions — I'm sure there are members on the government side who will defend those kinds of decisions, but we must recognize that one of the consequences, one of the by-products, if you like, is that it creates a climate of intimidation for nurses and doctors, where they don't feel they can speak up, again not on their behalf but on behalf of patients; where they're forced to choose between their livelihood, their ability to continue, and the things they see in front of them. Of course, significantly, many of them are voting with their feet. Doctors have left this province in record numbers, and so have nurses left the profession. We have had a historical number of retirements on the part of nurses. We have widespread reports of discouragement.

I'm sure there is nobody on the other side of the House who doesn't believe that part of the reason I'm bringing this forward is because I have the privilege to serve as the opposition critic for health. But it is only one part of that capacity that leads me to bring this forward, in what I hope will be received as a constructive spirit. I have met with nurses and doctors all around the province at various times who have not felt secure to be able to express their opinions, who have not felt they could speak up. I've also spoken to organizations that feel, perhaps without foundation in some instances, the government would enact reprisals against them. So we in this Legislature are not being told the truth about what's happening.

It's not necessarily, I would venture to express, an intimidation for the government to recognize that that would be a beneficial thing for us to have. These are not always going to be complaints about the government; they're always going to be, under the spirit of this resolution, matters of patient safety. I would like to believe there is nobody in this House who would be against that; there is no one who would not want to see patient safety protected at all times.

In terms of the need for this legislation, I want to announce today the results of a poll by the Ontario Nurses' Association. They polled nurses on November 17, and 78% of those nurses say that problems go unreported because of fear of losing their job; 55% say many prob-

lems go unreported, 23% say some problems and only 7% say that all problems are being reported. I would like to believe that in this House we would stand for having all health problems reported and none not reported as a result of a feeling of intimidation or fear of losing their job on the part of nurses.

The only manner in which we're going to be able to proceed is to have a resolution from this House which calls upon the government to do what it has already agreed to do. The minister has agreed to pass a patient safety act. The resolution of this House would simply relate our urgency and conviction that this patient safety act be sure to include those provisions which it's supposed to in order to protect the ability of health providers to speak up.

Mrs Marion Boyd (London Centre): I'm pleased to have an opportunity to respond to the resolution brought forward by the member for York South. I think it is very clear where our party is on this issue of patient safety. We brought forward a Health Care Accountability and Patients' Bill of Rights Act, and one of the most significant matters in that act was the protection of employees from whistle-blowing.

The member for York South talks about the climate of fear that is there in health care facilities, in health care in general, even health care that's provided in the community, among those who are actually giving the services to patients. He is very right. As we've gone around the province, we've heard from nurses, from registered practical nurses, from home care workers and from physicians about their concerns that the cutbacks that have happened in many areas of service, the lack of infused funding to deal with increased demand in the long-term-care area, is actually making them fearful that they are not fulfilling their obligations as professionals, as required under the Regulated Health Professions Act.

We heard from nurses who clearly believe that what they are being asked to do is not safe for patients, that there are too few of them. We heard from a registered nurse, for example, in a long-term-care facility who has sole care of 90 elderly frail patients overnight. Those of us who have loved ones in long-term-care facilities like to believe that their safety is protected. I recall a situation not long ago in Mississauga, within the last couple of years, where a fire erupted at a long-term-care facility. An inquest clearly said there were not enough staff to evacuate people carefully, to evacuate people quickly enough to prevent them from suffering damage.

Nurses and health care workers work in these circumstances all the time. It's not surprising that the Registered Nurses' Association of Ontario, the Registered Practical Nurses Association of Ontario and the Ontario Nurses' Association have all asked for a patient safety bill that clearly lays out what the standards are for nursing care; that would clearly allow them to go to work with the comfort that they are meeting their professional obligations under the Regulated Health Professions Act, to answer to their colleges for their actions in a way that is responsible. That's what they want. But that requires them to be able to blow the whistle when their employer is not

following those standards. So there are two things that are required: first the setting of standards, and then the capacity to complain.

I would say to my friend the member for York South that the capacity to complain without any standards means very little, because although they may complain, what kind of an investigation could there be and how could it be proven that in fact the standards haven't been met if we're not all clear about what those standards are?

In long-term care, for example, when our government put in long-term-care reform, we put in a regulation that required every nursing home to dedicate 2.5 hours of nursing care each day to each resident in a facility. That was a standard. If that standard wasn't met, there was a way of dealing with it. It was a way for investigators to look at the staff rosters, to look at the number of patients, to look at whether or not that standard was being met.

But one of the first things this government did was to repeal that regulation. Quite frankly, one of the things that amazes me is that the people of Ontario haven't risen up in force and said: "What on earth is going on? There are no guarantees when I put my grandmother, my mother, my cousin into a long-term-care facility that there is any standard of care that I can accept."

As we've travelled around the province to facilities and to home care providers, we know that when there is not a requirement, especially for profit-making organizations, to staff to a standard level, what we see is a deterioration in care. For the frail elderly, this usually means they may be either restrained physically or put in a situation where they are drugged to maintain their quietness or, at very least, that they don't get the kind of activation that's necessary to keep them healthy.

If we believe that each of us is entitled to a quality of life to the end of our life, the prospect of ending our lives in facilities where that dedication isn't there and the resources aren't there, and there isn't some mechanism for determining that that care is provided, ought to be very frightening. That's exactly what the situation is today.

Frankly, in home care it's even worse, because in facility care at least there is a possibility for families to get together and to talk about what is happening in that facility. It's possible for families to talk together about the problems that are happening around hygiene, the problems that are happening around bedsores, the problems that are happening around a lack of attention to people who require intensive work with them around their toileting, around their eating. It's possible for them to at least have some collective voice. But in the home care area, we are all isolated in our own home care situations. Frankly, there's an effort on the part of the government and home care providers to try to convince us that if we complain, we're denying someone else the care that they deserve. The Minister of Long-Term Care, when the member for Kingston and The Islands raised the issue of 2,000 elderly patients losing service in the Kingston area, stood in this House and said, "They were getting too much service, and we have to spread the dollars around so everybody gets the same low level of service," which is terribly offensive

in communities that have worked hard together to build strong home care programs.

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When you are caring for a person at home you are, just by definition, isolated in a very real way, when there's no mechanism for you to complain and you certainly can't get the support of your home care worker — who, as the member for York South has pointed out very clearly, if they complain on the part of the patient, are very often job-threatened. We run into really serious difficulties.

I would say the most serious problem we've run into is when the profit motive drives those who are delivering care. It is hard under a non-profit situation to deliver care effectively with the levels of funding that this government provides. That's difficult. But when you also have the demands of shareholders, who are expecting a return on their investment, and that return on their investment comes out of the dollars that we as taxpayers pay for the care of patients, the situation is that much worse.

We know from talking to employees across the province that their apprehension around reporting lack of standards, lack of care, is much worse where their employer is a private employer, where they may not be protected, in many cases, by a collective agreement, where they may not, in many cases, have the comfort of knowing there is some public accountability on the part of that organization. We have to remember that private organizations are not required to give details of how they spend the public dollars they get. One of the issues in terms of enforcing standards for health care is making sure the money that is supposed to be spent on patients' food is spent on patients' food, that the money that is supposed to be spent on qualified staff to care for patients is actually being spent there. As soon as you have shareholders demanding an ever-greater share of the public tax dollars that go to those organizations, you see more erosion of care.

I would not suggest that every public organization is necessarily guiltless in this whole issue. I am very aware that there are efforts to cut corners, particularly where municipalities, through their tax dollars, are supporting these organizations as well. I worry about that. I am saying that whether you're getting your care publicly or privately, there should be standards that need to be met; there should be an enforcement mechanism to be sure that when those standards are not being met, the providers are required to come up to standard and to stay there. Very often, the only people who know the reality of what goes on in a facility, the reality of what goes on in home care in terms of cutbacks, cutbacks, cutbacks in the level of service and how that affects patients, are the health care providers themselves.

The member for York South is absolutely right to say that there should be some protection for these people. I'm amazed, quite frankly, that he would come up with a resolution that wanders all around the issue, rather than a very clear bill that gives whistle-blower protection to health care providers in these circumstances. This government has entertained quite a few of the opposition

party's private bills. We've had big discussions, extensive discussions, about some of the Liberal private members' bills that have come forward. I am amazed that we do not have here a bill that clearly outlines what the Liberal position is on the setting of standards and whistle-blowing. Instead of that, we have this woolly, wordy piece of verbiage that does not clearly say what they would do if they were to form the government. This is what we see throughout the health care thing: all sorts of lovely words pandering to everybody without any clarity about what they would really do.

It's important at this point for us to be very clear about what our positions are. We have done that. We put forward a Health Care Accountability and Patients' Bill of Rights Act, which was passed by this House, which sits there on the docket — without going anywhere, I may add — that at least clearly puts us on the record as to where we think we need to go with this, that clearly states how you set those standards, that you set them in conjunction with the professionals who have the expertise, with the colleges that have a responsibility for maintaining standards of practice under the registered health professions, with the Ontario Hospital Association, that has some responsibility in terms of publicly funded hospitals to ensure that best practices are followed.

We have clearly said in that bill that there needs to be protection for workers who work in the health care field when they call attention to the fact that the standards set are not being met. We have a commitment. We're very clear about it. We're not saying, "People should be protected and we should look at their expertise, and therefore we should protect these people." We're saying how you do that and we're saying why you do it, and we're giving the mechanism by which that can happen. That's what we need. We've had a lot of change in health care, and we need to be prepared to continue to look at the best practices that can be delivered in all aspects of health care. Whether it's delivered in hospital, whether it's delivered at home, whatever the mechanism of delivery, we have to be sure that our tax dollars are going for a standard of care of which we will be proud as citizens and which we will then be able to access when we need it.

It is important, I think, for people in the province of Ontario to know that it is possible to set standards, it is possible to enforce standards and it is possible to protect those who blow the whistle when standards aren't being met. Government can do that through legislation. They can't do it when all they do is talk about it. They can't do it unless they are clear about the mechanism, unless they actually have a process which people can follow when they have concerns.

I have spent a lot of time with patients and with their families around this issue of standards of care and best practices. We have a population in the province of Ontario that is knowledgeable, that knows it's important for them to know what to expect, that knows it's important for them to be able to rely on the government that pays for the services to enforce standards and knows that their best ally in that effort is always the health care professional who delivers the services.

The member for York South will find great support for the notion of whistle-blower protection. It's just unfortunate that he didn't outline how this would really work.

Mr Dan Newman (Scarborough Centre): It's my pleasure to join the debate here this morning on this resolution. The member for York South has brought forward a resolution that has been essentially debated in this House previously. I am of course referring to Bill 50, which was brought forward by the member for London Centre earlier this year. Specifically, Bill 50 included a section that addressed the issue of health care employees ensuring patient safety. It was this bill that was brought forward by the member for London Centre, the patient safety act, which as I mentioned was introduced earlier, in June, and received second reading and was sent to the committee of the whole. This bill incorporated specific detail with respect to openness in health care reporting. I agree with her that the Liberal health plan or lack of a health plan leaves me too with many question marks.

As I mentioned in previous debates, I want to again reiterate some of the commitments our government has made when it comes to patient safety and the delivery of health services in Ontario. I must begin by saying that the content of this resolution and what it is asking the government to do is a very complex issue. Patient safety and the delivery of services are of the utmost importance to this government, and that is why we are taking several steps to ensure that these issues receive careful consideration before any decisions are made.

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For example, our government will work with various organizations such as the Ontario Medical Association, the College of Physicians and Surgeons of Ontario, the Ontario Hospital Association, the Ontario Nursing Association, the Registered Nurses' Association of Ontario and the federation of regulatory colleges to ensure accountability for patient outcomes. More important, our government is currently working to introduce a comprehensive health care quality act that will encompass a far broader recognition of health care accountability.

The resolution being debated here today does not go far enough, and I say that because it does not go far enough in that our government believes it is important to include not only employees of the health sector but also family members who raise issues surrounding patient care and the delivery of services.

While I agree with the resolution in principle and what it represents to the people of Ontario, I must wonder if it's not just another attempt by the Liberal health critic to strike fear in the minds of Ontario's health workers and patients. Mr Kennedy's resolution implies that health care workers are unable to voice their opinions with respect to health care reform and the delivery of services, and I ask him why when his party was the government in this province they did not bring something forward to deal with it.

I know that all members of the House here know that the member for York South has a knack for creating a crisis; in fact, in a Toronto Star article back in 1996 his

successor at the Daily Bread Food Bank referred to his ability to create a crisis. I think he has brought that with him to the Legislature.

Mr Frank Klees (York-Mackenzie): Chicken Little syndrome.

Mr Newman: The Chicken Little syndrome, I say to the member for York Mackenzie. I agree with that.

The letter of September 12, 1997, from the president and CEO of the Humber River Regional Hospital says:

"While there are many issues and challenges in merging organizations and consolidating services which impact on our patients, staff and members of the community, you seem more interested in generating fear within the community around the safety and quality of care provided to individuals regardless of whether or not the facts support this conclusion."

That's shameful. In fact, if we look back at the Sudbury Star of September 19, 1998, the editorial says:

"Kennedy would better serve voters by listing what needs to be done to the system to ensure services" —

Mr Gerretsen: Mr Speaker, on a point of order: We have listened to this member now for the last three minutes doing nothing but attack the integrity of the member for York South. He should stick to the issue. There's a specific resolution. I would ask you to ask him to stick to the issue and not to make personal attacks against members in this House.

The Deputy Speaker: That is a point of order; however, we differ very much on the interpretation of the facts as you have stated them, so I will not —

Mr Gerretsen: Do you agree with what the member is saying about our member here?

The Deputy Speaker: It's not within my purview to agree or disagree with anything that is said in this House; it's to carry out the rules as you have made them.

The Chair recognizes the member for Scarborough Centre.

Mr Newman: I note that I was not attacking the Liberal credibility on health care; I was attacking their lack of credibility on health care.

It says here, September 19, "What We Say: Grit MPP Does Voters a Disservice."

I know that the member for Kingston and The Islands had cut into my time. I just want to again mention that our government is spending \$18.9 billion on health care. That's \$1.5 billion more than any other government in the history of this province.

I'm going to share my time with the members for Northumberland and York-Mackenzie, and I'll leave them the rest of the time.

Mr Mario Sergio (Yorkview): I only have about five minutes, and I want to contribute on the resolution brought in by the member for York South. It is not only timely but it's a very important resolution, and I do hope, according to the last speaker, that indeed we will see their support, because he just said it is good but it doesn't go far enough. As a beginning, let's hope that they will see the light and support this important resolution here.

It addresses one very important aspect of our health care system and providing health care to the most needy in our society. It doesn't make any difference whether you take a child to a hospital because he has a fever or a senior is being provided care in their own home or in a nursing home. This is a wake-up call for the government, not only to the millions and millions in cuts that they have made to the health care system — that is why we are in this situation. Certainly you cannot provide an efficient, quality health care system when you have fired the most-qualified nurses to the tune of some 13,000 or 14,000 nurses. You cannot provide the quality of service when you don't have the qualified people. The people who are on the front line on a daily basis, either providing service in a hospital or home care or providing homemaker services, are the real people who on a daily basis provide the service and then come back and report on the conditions of those sick people. What happens? Often those very comments brought back are totally disregarded. I could give you a couple of examples if I have the time, and I hope I will be able to do that.

This is not creating another snitch line; this is providing freedom from fear to those people who provide those services to come out and report incidents, lack of services, lack of attention, to the providers, so that we indeed can provide whatever care or whatever attention is needed.

One senior told me one day that one particular thing is gone from our health care system, the most sacred thing in our province. He said, "The three As are gone." I said, "What are the three As?" He said, "The availability, the acceptance and the attention." How true, because now we lack all of that, but worst of all is that the people who provide that front-line service, on top of the pressure they get because of lack of assistance, lack of personnel, have to deal on a daily basis with their frustration that they cannot report incidents, if you will, weaknesses in the system.

I know for a fact that one of these providers came into my office seeking assistance as to why she was fired — solely because she said to the providers that they need more of this particular care and more assistance. She paid for reporting that the provider should be providing that particular service there. That was one case.

I have a couple of nursing homes, maybe more, in my area, and I have to tell you that we see a problem with those care providers as well, because now we have family members going in there and saying, "What's going on here?" Care is not being provided, so family members have to go in and assist in providing for their own people, for whom they are paying extra money in those facilities. They go one day and their clothes are gone. They go another day and they are no longer on the same floor. They go another day and they are sleeping in somebody else's bed. They go one day and the nurse says, "You have to go and look for yourself; we don't have the time."

This is the care, this is the attention and that is what this resolution speaks about. It speaks about giving the freedom to those front-line caregivers, giving them the freedom without fear of reprisal to report those incidents

which if gone unnoticed and not reported can result in the loss of lives of some patients. Ultimately, isn't good care for patients what we all want?

Unfortunately, I'm just over my time, but I do hope that members of the government will support the resolution introduced by the member for York South.

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Mr Klees: I'm pleased to rise to address this resolution this morning. It's so typical of the member for York South. Rather than getting to the heart and recommending specific solutions, as the member for London Centre did in her Bill 50, he continues to approach the issue of health care from a fearmongering perspective for which he is well known now across the province. When the member for York South appears at a meeting, people are prepared for a great deal of noise: "The sky is falling and there is no hope."

I can tell you that the people in Ontario understand the realities. Regardless of what the member for York South and his Liberal Party may want the public to believe, we in Ontario have the best health care system in the world, second to none. All it takes is for someone to leave this province and experience elsewhere, beyond the borders of Ontario, the health care system that's there and they will very quickly support the premise that in Ontario we have the best health care system; not perfect and there's a great deal of work to do.

I can tell you that the member for York South should have spoken to Allan Rock, who was a speaker at his fundraising reception, about the \$2 billion the federal government cut back in transfer payments to this province. He should also speak to the Liberal Prime Minister, who clearly doesn't understand what is happening within his own government, suggesting that the Premier of this province should restore that \$2 billion.

Let the public know, and I believe they do know, that we have restored it. Not only have we restored the \$2 billion without relying on the federal government, we've gone beyond that and in this province we are spending an additional \$1.4 billion on health care, regardless of what the federal Liberal government is doing and their disdain for public health care in this country.

I support the concept and the member for York South knows that I support the right of health care workers to have their say, to express their views, to have the ability to tell people not only in the workplace, not only their employers, but publicly what they feel about the health care system.

I trust that the member for York South will carry on this principle of supporting the right of health care workers to exercise their consciences. When he has an opportunity to say something in response to the debate this morning, I want the member for York South to go on record to say whether or not he supports not only the right of health care workers to express their consciences with regard to things that are going wrong in the health care system, but also the right of health care workers, consistent with the legislation that many in the health care system are calling for, to recognize the freedom of con-

science of health care workers, prohibiting coercion of and unjust discrimination against health care workers because of their refusal to participate in matters contrary to the dictates of their consciences and establishing penalties for such coercion and unjust discrimination.

I don't believe for a minute that the member for York South will have the courage to support that. No. What he is interested in is for health care workers — in fact, not only is he providing a platform, he's actually encouraging them to not necessarily come forward with solutions. It's interesting, his own resolution refers to the fact that they should be publicly raising issues. There's nothing wrong with publicly raising issues, but what he is really suggesting should happen is that the rest of the people in Ontario and health care workers resort to the same kind of fearmongering that he and his political party resort to.

I want to compliment the third party, the members of the NDP, who at least on the issue of health care have a policy. They have come forward with specific recommendations. We admire that. We have no respect for the kind of rhetoric that's being brought forward here by the member for York South.

Mr Gerry Phillips (Scarborough-Agincourt): I want to rise to support my colleague's motion. Mr Klees and Mr Newman just mentioned fearmongering. Let me tell you about a specific case in the area that I represent. About a year and two months ago the family of a woman came to me; the wife of this man was 30 weeks pregnant. She arrived at my local hospital, which is a terrific local hospital, and had a brain hemorrhage. The hospital then began to make urgent phone calls; 21 phone calls were made here in the city of Toronto desperately trying to get her a bed to provide neurosurgery. The hospitals were aware how desperate the situation was. They were told it was critical, life-threatening.

No bed could be found for that person in the city of Toronto, and I think there are three hospitals here, maybe four, that provide the service. Finally, a Hamilton hospital said, "We'll accept this patient." Air ambulance was then phoned; air ambulance was not available. This individual was transported by land ambulance to a Hamilton hospital. When she arrived, the hospital knew that she was in desperate straits but that hospital did not do obstetrics. So another hospital in the Hamilton area had to be phoned and a doctor rushed over from that hospital to try and save the baby. The baby was saved, fortunately; the woman died.

The family said: "What should we do? We want to go public with this." I said, "Let's give the ministry an opportunity to explain what happened." They wanted to make it a public issue and I counselled — and I now regret counselling this, actually — that they try and deal with it privately. I sent the minister a letter saying, "Can you possibly explain what happened here, and importantly, can you assure the people of Ontario that this problem has been solved?" I was told that she couldn't provide an answer, that it was in the hands of a coroner.

That was over a year ago. I then sent another letter saying, "I understand it's in the hands of a coroner, but can you at least provide assurance that this won't happen

again to some other individual?" I still have not had an answer on that. That's well over a year ago.

There's no explanation for this, why a woman — and it's all documented, it's all written. I can provide anybody in the province the documentation from the 21 phone calls made over a two-hour period, the knowledge that it was life-threatening and why the hospitals said they did not have the resources to open a bed.

Almost the first action that the Harris government took was to cut hospital funding. You can go back and look. It was in the fall of 1995 when Mike Harris announced they were going to cut \$800 million from hospitals. You can say it was the federal government, but when the federal government reduced transfers to Ontario, Mike Harris said, and I've got it here, "We publicly support it." It was Mike Harris who said to the federal government: "We support your cuts. We should cut more. We publicly endorse it."

So the very first thing that Mike Harris did was to cut hospital budgets. When Mr Newman and Mr Klees say we are scaremongering, I will go back to the tragic case of this woman in my area. The way I tried to handle it was to avoid scaremongering, was to try and deal with it privately. But now the price we pay is the minister, to this date, still has not answered the question, "Can you assure the people of Ontario that this won't happen to another person?" I've never had an answer to that. I've phoned many times, sent at least two letters to the minister, never had that answered.

I hadn't planned to raise this specific case until Mr Newman and Mr Klees started to use language such as "scaremongering." This is just simply relating the case of an individual, and as I say, I regret I didn't raise it publicly earlier because of the situation with the triplets that happened a few days ago, where the lives of the triplets were under threat. Perhaps that wouldn't have happened had we made this case more public.

1150

Mr Doug Galt (Northumberland): Thank you for the opportunity to address this motion. At first blush this appears quite benign and innocent. As I look at some of the preamble, it comments that "in an era of rapid change it is crucial there be sufficient information to ensure the public is protected at all times." It goes on and is basically making reference to whistle-blowing type of legislation. I think it is rather ironic that this is coming forward from the member for York South, who is in the Liberal Party. It looks like they are rolling out a platform, sort of piece by piece, rather than the leader coming forward with a position on where they stand on health care in general.

It's a party where the leader was first for and then against hospital closures. It's one where a leader has first been for and then against reopening hospitals. It's been a leader who has been first against and then for additional health care funding. It's been a leader of a party who has been first for and then against raising of taxes. One place where the leader has been consistent in health care has been silence on the improvement of long-term and community-based health care.

I would like the real leader of the Liberal Party to stand up and say what he really stands for on health care. We're still wondering. We have no idea what the position is. We see from the member for York South that their position really is coming out piece by piece.

They talk about the closure of beds. Well, who in this province started closing hospital beds? It was started by the Liberals between 1985 and 1990. The NDP screamed blue murder that it was just terrible that they would be closing hospital beds. Then what did they do between 1990 and 1995? They closed more. So between the two, in ten years 10,000 hospital beds were closed in this province, equal to 30 to 35 hospitals, but what did they do about the hospitals? They left them all open. They didn't have the intestinal fortitude to stand up and do something about it.

I think it is interesting to note what has been going on federally. They started out with 50 cents per dollar for health care in this province back in the early 1970s. Where is it at today? It's at 7.6 cents on the health care dollar. If you take the average family and look at a family, we'll say, of four — two children, a mother and a father — what is it costing them in health care dollars, the real cost? It works out to just about \$7,000 for that family. That's what's out of their pockets. How much is it in provincial taxes? It's about \$6,500. The remainder, a pittance, comes from the federal government.

I really have to ask the member for York South. He had his fundraiser recently. The federal Minister of Health, the Honourable Allan Rock, was there, his guest speaker. When they were dancing cheek to cheek, did you ask for that \$2 billion, did you ask, for the other provinces, where the other Premiers are asking, for the \$6 billion that has been cut from health care since 1994? It would have been in order when you were befriending him, dancing cheek to cheek, to have asked about that \$6 billion, particularly the \$2 billion that has been cut from the province of Ontario.

It's interesting to read from the National Post what was recently quoted from Prime Minister Chrétien. He has challenged the provinces: "If they want to talk restoration...I will tell the premiers the same thing: Restore all your cuts and we will restore all the transfers."

I can tell the member for York South that Romanow, the NDP Premier in Saskatchewan, is quoted as saying that all the provinces have increased health care spending during this era when they have cut back the \$6 billion, and we're kind of wondering and maybe you can tell us, as you're a real close friend of the Honourable Allan Rock, is the cheque in the mail? They have not cut health care spending and the Prime Minister is committed to returning this, to refunding it. I'm asking you, is the cheque in the mail?

I'm sure that in your two-minute response you will explain to us why it may not be, or if in fact it is, because being such a close friend and having him at your fundraiser, at hundreds of dollars per plate —

The Deputy Speaker: Further debate?

Mr David Caplan (Oriole): It's very interesting to listen to the government members on this very important resolution by one of the most passionate defenders of

health care in this province. The government members don't want to remember the case of Mr Ed Whitehill at Peterborough Civic Hospital. He died in the hospital corridor. The nurses and the doctors at that institution wanted to talk about this government's actions that led to that tragedy. What happened? The Ministry of Health sent in inspectors routinely, in fact in the words of the local staff, "to intimidate the health care staff." Then Health Minister Jim Wilson accused the staff of a publicity stunt around the conditions at Peterborough Civic Hospital. This is the government's actions when it comes to people who want to stand up and speak out about the impact of this government's funding reductions and funding cuts to hospitals and health care.

I think the member for Northumberland talked about community care. In my riding, in the area that I represent, which is Oriole, a part of the former North York, we have the North York Community Care Access Centre. They've been drastically underfunded. It's absolutely a shame what this government has done. It's only recently, on the verge of an election, that the government has moved in to stabilize some of the funding that the agency is under. It's unacceptable to me that in an area like North York, like Oriole, where we have a growing and a rapidly expanding seniors population, that we have these kinds of examples. But you don't hear from the director or the staff of the CCAC because of the threat of reprisal from this government if they were to speak out, just like when Jim Wilson threatened the workers at Peterborough Civic Hospital.

It's another example, by the way, of how a rigid, inflexible funding formula can fail a community. They've done it in education; they're doing it in health care. We need resolutions like what my colleague from York South, Mr Kennedy, is proposing so that the workers, the staff and the administration at the community care access centres can speak out about the underfunding and what it's doing to their clients.

I want to spend a little bit of time — unfortunately I don't have a great deal — to talk about the impact of what's happened to the health care centre in Oriole. We have a fabulous hospital. North York General Hospital is one of the best hospitals in the province of Ontario. That's why we recognize it. But this government has seen fit in a two-year period of time to cut almost \$9 million from that hospital — just unconscionable. They have the busiest emergency room in Ontario. They have massive capital needs to keep up with these kinds of pressures.

They've closed Branson Hospital. North York is taking all of the overflow. I was at a meeting with the Ontario Nurses' Association, local 5, at North York General just a short time ago, and those health care workers, those nurses, said they welcome this kind of resolution, this kind of action from the government. They support Mr Kennedy, they support this resolution, because they would like to speak out about \$9 million of cuts to the place that they work, which has removed from them the ability to give care, which has demoralized them, which has put them under that strain. That's the record of this government; that's what they've done. Whenever health care workers

have stood up and wanted to speak about what their experiences are, they have been silenced, they've been threatened, and this government —

The Deputy Speaker: The member for York South has two minutes to wrap up.

Mr Kennedy: I appreciate the tribute from the members opposite in terms of at least acknowledging that the problems that are out there have to be dealt with. They would like to deny them. I heard a hopeful thread from Mr Klees, who said he would support the ability for nurses to speak out, and I would hope that test — the members today may have political disagreements with the interpretations put on events, but I hope there is no member in this House afraid to confront the facts. They show discomfort, they show distaste, sometimes distasteful activity in the face of those facts, but I would hope in this House, this Legislature that sets the laws for this province, there is not a member of this Legislature afraid to hear what nurses and doctors have to say; who will stand behind the need for your government, for the members opposite, for this whole House to endorse the idea that this government bring in legislation that specifically makes reprisals against individuals in organizations illegal.

There was a distasteful episode in Peterborough where the former Minister of Health actually tried to blame the doctors and nurses for a publicity stunt when a patient died in a hallway. It brings no credit on the local member that he was nowhere to be found speaking on their behalf at that time.

In the instance of York-Mackenzie, there is a hospital there that has been running a deficit. There are people in the hallways. I'd be happy to discuss the veracity of that with you, member for York-Mackenzie.

The member for Northumberland would apparently like to close the hospital in Port Hope. That's what he said today, that he has the guts to close a hospital. Member, you have not talked to the health nurses and doctors in your riding to learn the real effect of closing that hospital. This would make it possible for you to hear from those people, and they would not fear reprisals.

I hope the people who would like to debate the health care issues on a political basis would invite me to their ridings, because I'm happy to respond to each one of them. Today I hope they will protect doctors and nurses and other providers' ability —

The Deputy Speaker: The time for private members' public business has expired.

HUMMINGBIRD PERFORMING ARTS CENTRE CORPORATION ACT, 1998 LOI DE 1998 SUR LA SOCIÉTÉ DU CENTRE HUMMINGBIRD DES ARTS D'INTERPRÉTATION

The Deputy Speaker (Mr Bert Johnson): We'll deal first with ballot item number 39. Mr Silipo has moved second reading of Bill 97. Is it the pleasure of the House that the motion carry? It is carried.

Shall the bill be referred to the committee of the whole?

Mr Tony Silipo (Dovercourt): Mr Speaker, I would seek unanimous consent to have the bill ordered for third reading.

The Deputy Speaker: Is it agreed? It is agreed.

PROTECTION FOR HEALTH CARE WORKERS

The Deputy Speaker (Mr Bert Johnson): We will deal now with ballot item number 40, standing in the name of Mr Kennedy. Is it the pleasure of the House that the motion carry?

All those in favour say "aye."

All those opposed say "nay."

In my opinion the nays have it.

Call in the members. There will be a five-minute bell.

The division bells rang from 1202 to 1207.

The Deputy Speaker: Mr Gerretsen has moved private member's notice of motion number 36. All those in favour will please stand.

Ayes

Boyd, Manon	Gravelle, Michael	Patten, Richard
Bradley, James J.	Kennedy, Gerard	Pupatello, Sandra
Caplan, David	Kwinter, Monte	Ruprecht, Tony
Conway, Sean G.	Lalonde, Jean-Marc	Sergio, Mano
Crozier, Bruce	Martin, Tony	Silipo, Tony
Gerretsen, John		

The Deputy Speaker: Those opposed will please stand.

Nays

Arnott, Ted	Galt, Doug	O'Toole, John
Barrett, Toby	Grimmett, Bill	Sheehan, Frank
Boushy, Dave	Jordan, W. Leo	Skarica, Toni
Carroll, Jack	Klees, Frank	Stewart, R. Gary
Chudleigh, Ted	Leadston, Gary L.	Tascona, Joseph N.
Danford, Harry	Martiniuk, Gerry	Tilson, David
Elliott, Brenda	Munro, Julia	Wood, Bob
Ford, Douglas B.	Mushinski, Marilyn	Young, Terence H.
Fox, Gary		

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 16; the nays are 25.

The Deputy Speaker: I declare the resolution lost.

It being well after 12, this House stands adjourned until 1:30 of the clock this afternoon.

The House recessed from 1210 to 1333.

MEMBERS' STATEMENTS

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Dwight Duncan (Windsor-Walkerville): The Ontarians with Disabilities Act Committee has started a "Premier Harris has scrooged Ontarians with disabilities" campaign. I would invite all members of the government

caucus, if they haven't already done so, to see what's being circulated throughout Ontario even as we speak.

This campaign addresses the utter insensitivity of the Harris government to its own commitments to the disability community. Hundreds of disabled Ontarians attended a rally this past Wednesday evening where they denounced the broken promise of this government; they denounced the government's continual attempt to undermine their desire to have a barrier-free Ontario.

Ontarians with disabilities and tens of thousands, indeed millions of other Ontarians call upon the Harris government to drop their so-called Ontarians with Disabilities Act and replace it with meaningful legislation that will help to remove barriers in this province.

Those of us in the official opposition, our leader, Dalton McGuinty, and Liberals across Ontario will join the Ontarians with Disabilities Act Committee in fighting for a meaningful Ontarians with Disabilities Act that will help to remove barriers and make persons with disabilities full members of this great province.

RAMADAN

Mr Tony Silipo (Dovercourt): I rise today to bring greetings on behalf of the NDP caucus to Ontario's Muslim community who this weekend will begin dawn-to-dusk fasting to observe the holy month of Ramadan.

For 30 days our Muslim sisters and brothers will be living a life of restraint and piety, staying away from any food and drink during the course of the day.

The exercise of Ramadan has a message for all Canadians: the sense of community, the sense of sacrifice, the sense of reaching out and relating to the hunger and deprivation that is a reality to so many millions around the world.

However, as I speak, Canada's Muslim community is undergoing a heart-wrenching experience. With the bombing of Iraq and the death and devastation that such bombing causes, Muslims around the world feel that they are victims of a double standard. Ontario's Muslims share this feeling.

On the eve of Ramadan, I'd like to assure the Muslim community that my colleagues in the NDP and I share their pain and would like to express solidarity with them in this particularly dark hour.

Inshallah, God be willing, peace shall return to Iraq and the ordeal of its people will end. I join all my NDP colleagues in condemning the US attack on the Iraqi people and wish Ontario's Muslims, Ramadan Mubarak.

DELHI BELGIAN CLUB

Mr Toby Barrett (Norfolk): Today I would like to recognize the contributions of the Belgian community in Norfolk. Many Belgian immigrants came to North America following both the First World War and the Second World War and settled in and around the town of Delhi. The major wave followed World War II, and these Belgian Canadians formed a club in Delhi to keep their

heritage, culture and language alive, the largest Belgian club in North America.

The Delhi Belgian Club celebrated its 50th anniversary this June with a gala dinner and a packed house. The club is thriving, with a new front entranceway recently built. It is a social centre for the community, with card games, archery competitions and numerous weddings.

Recently the red carpet was rolled out at the hall for the visit of his Royal Highness Crown Prince Philippe of Belgium. The 38-year old bachelor, who is trained as a fighter pilot and a paratrooper, chatted with 500 people in attendance, toured the kitchen, and took a few shots at the club's archery range. My wife and I were honoured to attend this event and help pay tribute to the contributions of the Belgian community.

The Delhi area is steeped in a diverse cultural heritage, and organizations like the Delhi Belgian Club help to keep community spirit alive. I congratulate the members of the Belgian club on their 50th anniversary, an anniversary I consider truly an impressive milestone.

STUDENT ASSISTANCE

Mrs Lyn McLeod (Fort William): My office continues to receive letters and phone calls from college and university students who are struggling to manage because of the Mike Harris government's cutbacks to student assistance.

It's incredible that a government that has sanctioned skyrocketing tuition increases has actually cut back on student assistance instead of increasing it.

In case there is any doubt about the cutbacks, let me cite the 1998-99 estimates book, where it says quite clearly that this government is planning to spend \$45 million less on student loans in 1998-99 than they spent last year, and that would be \$100 million less than they spent on loans in 1996-97. The costs go up; the government provides less support.

1340

Fortunately for students, the federal government is more than making up for Ontario's cuts to loans. But for every dollar the federal government puts into student assistance, the Ontario government cuts their funding back. There are more loans going out because more students need help, but the average loan per student is going down.

Mike Harris says student debt is not a worry. The fact is, he is just not making the loans. He wants parents to pay more, he cuts part-time students off altogether. Far too many students are finding that his cutbacks to student assistance mean they just can't go to school.

Mike Harris says that he will shut down universities if students are denied a chance to go to school because of financial need. It is the Harris government that is denying students a chance to go to school. It is time to shut the Mike Harris government down.

FRONTIERS FOUNDATION

Mr Bud Wildman (Algoma): I rise to confirm my full support for the work of the Frontiers Foundation in the small northern and rural communities across Ontario. The foundation's assistance has been crucial, particularly for aboriginal people living off reserve, for making it possible for people's housing to be upgraded and homes renovated.

The members may be aware that the living conditions for many aboriginal people in the small northern communities resemble only too well those of people living in Third World countries. This is a disgrace for our country, and Canadians owe a great debt to the groups working to improve these appalling conditions, groups like the Frontiers Foundation.

I'd like to know how much money this government has allocated to the foundation this year to assist in upgrading substandard off-reserve aboriginal housing in Ontario.

The need is urgent. For instance, an aboriginal woman recently contacted me. She is living with her brother, his spouse and their four children in one room. I understand that the Ministry of Citizenship, Culture and Recreation has committed about \$20,000 total to the Frontiers Foundation through the Ontario Native Aboriginal Association for one or two home renovations.

The foundation already has a waiting list of over 40 families who require housing. The government has demonstrated its willingness to meet the emergency needs of ice storm victims in eastern Ontario last year. Surely the government will ensure that the urgent need for improved off-reserve aboriginal housing is also met.

INTERNATIONAL TRADE

Mr Frank Sheehan (Lincoln): Businesses across Canada and Ontario wanting access to the world's fastest-growing economy should look no further than Welland and the Niagara region.

Recently Welland's mayor, Dick Reuter, and the chair of the regional municipality of Niagara signed an historic agreement with the mayor of Tongxiang in China's burgeoning Shanghai-Yangzi delta region. The agreement, signed during a high-level Chinese mission to Niagara, establishes a one-of-a-kind unique partnership and paves the way for lucrative joint ventures in a variety of industrial sectors.

It continues Welland's leadership in initiating trade agreements and ensuring local companies enjoy secure access to China's booming economy. It is also an example of how local government and business can work together to ensure international success.

The mission resulted from previous contacts made by Rudy Kroeker of Whiting Industries, Welland. Whiting operates a successful joint venture in Tongxiang which will soon be mirrored by other Welland businesses. In fact, Whiting Industries has just hired 12 engineers, a direct result of this joint venture.

The Tongxiang-Yangzi delta region has China's third-highest per capita gross domestic product, representing

25% of the entire Chinese economy — bigger than Malaysia, Argentina and Sweden.

Welland and Niagara's business community have secured a preferred access to this region, something that many other municipalities cannot do.

RIDE PROGRAM

Mr Richard Patten (Ottawa Centre): I rise today to protest yet another dilemma in which municipalities have been placed by this government. On the one hand, it has cracked down with more stringent laws for drunk drivers, which I applaud, but on the other hand, it's backing down on funding for enforcement.

In my community of Ottawa-Carleton, for example, the region's RIDE program has been practically decimated, reduced by more than 50% as a result of severe cutbacks in provincial grants that fund the program.

A traffic sergeant today was quoted as saying: "The amount available has gone down each year.... We get less money for the region than we got just for the city of Ottawa three years ago."

We all know the importance of the RIDE program over the festive season, especially as a deterrent. While we have made many strides with young people who are quite diligent about appointing a designated driver, we know that other drivers continue to take chances, and a certain group repeatedly takes chances, often with serious consequences.

Further, from today's Ottawa Sun: "In the past two weeks in Ottawa-Carleton area, police have stopped 4,784 vehicles and laid nine impaired-driving charges. Twelve people have been killed in Ontario in alcohol-related accidents this month."

If we ever hope to minimize drunk driving, enforcement funding must not be jeopardized.

PROPERTY TAXATION

Mr Gilles Bisson (Cochrane South): It would appear that the government is handing the commercial sector in our community a ticking time bomb when it comes to what this latest fiasco has done with property taxes.

As we look at what the government has done in regard to the cap, it would appear that those people who got a decrease last year in their municipal taxes, when it comes to commercial-industrial assessment, are not going to be doing as well as they think they are come 1999 when they get their interim tax bill. I think that this government has mishandled this whole tax assessment system to the point that they have thrown the entire system into chaos. We are probably going to see next year those people who got a decrease in 1998 having a tax increase based on their 1997 assessment and, in addition to that, on any savings they would have got in 1998.

Pure and simple, if you got a tax break last year because of the reassessment on the part of the new AVA system, you're going to see next year a huge tax increase,

courtesy of Mike Harris, as a little Christmas present to start off 1999.

VOLUNTEERS

Mr E.J. Douglas Rollins (Quinte): It is my pleasure to rise in the House today to give a special thanks to Gus Christopher and members of the Greek Orthodox Church on Harder Drive in Quinte West.

Each year these volunteers prepare and serve a Christmas dinner to less fortunate members of our community. Last year they served 320 constituents of mine, some of whom otherwise might not have had the means to enjoy a traditional Christmas feast. Many others who find themselves alone on Christmas day came to enjoy the festive atmosphere.

The selfless efforts exhibited by the volunteers represent the true Christmas spirit of kindness and compassion: individuals taking care of one another not out of obligation but out of a genuine concern for others.

As we go about our daily business this last hectic week before Christmas, I hope the members of the Legislature will remember the example set by the Greek community in my riding of Quinte.

On Christmas Day, Bridge Street church is the setting of another example of volunteers in my community. They gather together for a sit-down dinner at 12 noon served by volunteers.

I personally would like to express, on behalf of members of this Legislature, a very deep thanks to all the people in the Quinte area who volunteer unselfishly at Christmas time to serve others.

MEMBER'S COMMENTS

Mrs Sandra Papatello (Windsor-Sandwich): Thank you for this brief point of order, if you'll indulge me, Mr Speaker: Last night in this House we had the opportunity to be debating the supply bill, and I was very disappointed that there were comments coming from the government whip that evening that suggested I might go somewhere on a broomstick. My disappointment is that if there were, for example, a male equivalent of that kind of remark, there could have been a very funny retort to it.

The point is, in keeping with the kind of debate we had, what we view was inappropriate use of monies and specifically how it affects women in Ontario, that I found that kind of remark made towards me especially inappropriate given the context of the debate.

I would like to give the opportunity to the government whip to withdraw the remark and suggest that he think a little more clearly the next time he chooses to make those kinds of personal remarks.

Hon David Turnbull (Minister without Portfolio): I withdraw.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mrs Brenda Elliott (Guelph): I beg leave to present a report from the standing committee on resources development and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill without amendment:

Bill 34, An Act to amend the Environmental Protection Act / Projet de loi 34, Loi modifiant la Loi sur la protection de l'environnement.

The Speaker (Hon Chris Stockwell): Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

1350

INTRODUCTION OF BILLS

TAXPAYERS' PROTECTION FROM PAYING AL McLEAN'S LEGAL EXPENSES ACT, 1998

LOI DE 1998 ÉPARGNANT AUX CONTRIBUABLES LE PAIEMENT DES FRAIS JURIDIQUES D'AL McLEAN

Mr Gerretsen moved first reading of the following bill:

Bill 104, An Act to protect taxpayers from paying Al McLean's legal expenses / Projet de loi 104, Loi visant à épargner aux contribuables le paiement des frais juridiques d'Al McLean.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members; this will be a five-minute bell.

The division bells rang from 1350 to 1355.

The Speaker: All those in favour, please rise one at a time and be recognized by the Clerk.

Ayes

Agostino, Dominic
Arnott, Ted
Baird, John R.
Barrett, Toby
Bassett, Isabel
Bisson, Gilles
Boushy, Dave
Boyd, Marion
Bradley, James J.
Caplan, David
Carr, Gary
Carroll, Jack
Christopherson, David
Chudleigh, Ted
Churley, Marilyn

Galt, Doug
Gerretsen, John
Gilchrist, Steve
Grandmaitre, Bernard
Grimmett, Bill
Guzzo, Garry J.
Hampton, Howard
Hardeman, Ernie
Harnick, Charles
Hastings, John
Hudak, Tim
Johnson, David
Johnson, Ron
Jordan, W. Leo
Kells, Morley

Newman, Dan
O'Toole, John
Ouellette, Jerry J.
Parker, John L.
Patten, Richard
Phillips, Gerry
Papatello, Sandra
Rollins, E.J. Douglas
Ross, Lillian
Runciman, Robert W.
Ruprecht, Tony
Sampson, Rob
Sergio, Mario
Shea, Derwyn
Sheehan, Frank

Clement, Tony
 Colle, Mike
 Conway, Sean G.
 Cordiano, Joseph
 Crozier, Bruce
 Cullen, Alex
 Curling, Alvin
 Danford, Harry
 DeFana, Carl
 Doyle, Ed
 Duncan, Dwight
 Ecker, Janet
 Elliott, Brenda
 Fisher, Barbara
 Flaherty, Jim
 Ford, Douglas B.
 Fox, Gary

Kennedy, Gerard
 Klees, Frank
 Kwinter, Monte
 Lalonde, Jean-Marc
 Leach, Al
 Leadston, Gary L.
 Lessard, Wayne
 Marchese, Rosario
 Mariand, Margaret
 Martel, Shelley
 Martin, Tony
 Martiniuk, Gerry
 Maves, Bart
 McGuinty, Dalton
 McLeod, Lyn
 Murdoch, Bill
 Mushinski, Marilyn

Silipo, Tony
 Skarica, Toni
 Smith, Bruce
 Snobelen, John
 Spina, Joseph
 Sterling, Norman W.
 Stewart, R. Gary
 Tascona, Joseph N.
 Tilson, David
 Tsubouchi, David H.
 Turnbull, David
 Vankoughnet, Bill
 Villeneuve, Noble
 Wildman, Bud
 Wilson, Jim
 Wood, Bob
 Young, Terence H.

FRANCHISES ACT, 1998

LOI DE 1998 SUR LES FRANCHISES

Mr Martin moved first reading of the following bill:

Bill 106, An Act to regulate Franchise Agreements /
 Projet de loi 106, Loi visant à réglementer les contrats de
 franchisage.

The Speaker (Hon Chris Stockwell): Is it the
 pleasure of the House that the motion carry? Carried.

Mr Tony Martin (Sault Ste Marie): This bill
 provides a comprehensive scheme to regulate the entering
 into of franchise agreements and, even more importantly,
 the ongoing relationship between the franchisor and the
 franchisee.

Clerk of the House (Mr Claude L. DesRosiers): The
 ayes are 96; the nays are 0.

The Speaker: I declare the motion carried.

Short comments, the member for Kingston and The
 Islands.

Mr John Gerretsen (Kingston and The Islands):
 The comments are quite simply this: Al McLean's legal
 expenses ought not to be paid out of the —

The Speaker: About the bill.

Mr Gerretsen: This is in the bill, sir — ought not to
 be paid from the supply expenditures that are about to be
 moved. But I would request unanimous consent at this
 time —

The Speaker: No. You're out of order now, OK? You
 want to have a point of order now?

Mr Gerretsen: Yes.

The Speaker: Point of order, member for Kingston
 and The Islands.

Mr Gerretsen: I would request that unanimous
 consent be given in this House to give this bill second and
 third reading now.

The Speaker: Agreed? I heard a no.

CONSUMER PROTECTION AMENDMENT ACT, 1998

LOI DE 1998 MODIFIANT LA LOI SUR LA PROTECTION DU CONSOMMATEUR

Mr Crozier moved first reading of the following bill:

Bill 105, An Act to amend the Consumer Protection
 Act / Projet de loi 105, Loi modifiant la Loi sur la
 protection du consommateur.

The Speaker (Hon Chris Stockwell): Is it the
 pleasure of the House that the motion carry? Carried.

Mr Bruce Crozier (Essex South): The purpose of this
 bill is to extend the scope of section 36 of the Consumer
 Protection Act to protect consumers from the practice of
 negative-option billing with respect to the provision of
 services. Currently the section only applies to the
 provision of goods.

TAXPAYERS' BILL OF RIGHTS, 1998

LOI DE 1998 SUR LA DÉCLARATION DES DROITS DES CONTRIBUABLES

Mr Hastings moved first reading of the following bill:

Bill 107, An Act to amend the Income Tax Act and the
 Retail Sales Tax Act to provide for taxpayers' rights /
 Projet de loi 107, Loi modifiant la Loi de l'impôt sur le
 revenu et la Loi sur la taxe de vente au détail pour
 octroyer des droits aux contribuables.

The Speaker (Hon Chris Stockwell): Is it the
 pleasure of the House that the motion carry? Carried.

Mr John Hastings (Etobicoke-Rexdale): The bill
 amends the Income Tax and the Retail Sales Tax Act to
 provide the following rights for taxpayers:

(1) Taxpayers are entitled to receive complete and
 accurate information about the Income Tax Act from the
 federal minister who collects taxes payable under it and
 complete and accurate information about the Retail Sales
 Tax Act from the provincial minister who collects taxes
 payable under it.

(2) Taxpayers are entitled to be treated fairly and with
 courtesy and respect for their dignity when a minister or
 an agent of the minister collects taxes payable under the
 two acts from them.

REGIONAL MUNICIPALITY OF DURHAM STATUTE LAW AMENDMENT ACT, 1998

LOI DE 1998 MODIFIANT DES LOIS EN CE QUI CONCERNE LA MUNICIPALITÉ RÉGIONALE DE DURHAM

Mr Ouellette moved first reading of the following bill:

Bill 109, An Act to amend certain Acts with respect to
 The Regional Municipality of Durham / Projet de loi 109,
 Loi modifiant certaines lois en ce qui concerne la
 municipalité régionale de Durham.

The Speaker (Hon Chris Stockwell): Is it the
 pleasure of the House that the motion carry? Carried.

Mr Jerry J. Ouellette (Oshawa): Essentially what this bill does is allow the direct election of the regional chair within the region of Durham. I'd like to thank my Durham colleagues for their support on this position as well.

ASSESSMENT AMENDMENT ACT, 1998

LOI DE 1998 MODIFIANT LA LOI SUR L'ÉVALUATION FONCIÈRE

Mr Christopherson moved first reading of the following bill:

Bill 110, An Act to amend the Assessment Act / Projet de loi 110, Loi modifiant la Loi sur l'évaluation foncière.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Mr David Christopherson (Hamilton Centre): There's been a situation in my region where a family that had a disabled member decided that they wanted to construct a new home that was accessible to this family member rather than renovate an existing home. Under the Assessment Act, you can get property tax relief for an existing home that's modified but there's no equally fair ability to lower the property taxes if you should choose to build a new home. It went to the municipal board; on a technicality it lost, but even the chair of the board indicated that it seemed to him that it was unfair. I agree with that, and this bill is a move to correct that and to allow the tax relief under both circumstances.

Mr Gerry Phillips (Scarborough-Agincourt): On a point of order, Mr Speaker: I'm seeking unanimous consent of the House to allow the member for Scarborough East, Mr Gilchrist, to correct the public record and to apologize to the member for York South. It was a week ago that the member for Scarborough East made some very serious allegations against the member for York South here in the House, at a time, I might add, when the member wasn't here. I've subsequently looked at it and many of the charges were not true.

He said someone from Mr Kennedy's office phoned down to the government whip's office and claimed to be calling from the Premier's office. That was incorrect. He said that —

The Speaker (Hon Chris Stockwell): Member for Scarborough-Agincourt, I think there's full recollection of it. I'm sure the member for Scarborough East recollects it. He can have the option to withdraw it if he chooses to do so.

Mr Phillips: I was seeking unanimous consent to ask the member to withdraw the comments and to apologize to the —

The Speaker: Agreed? I heard a no.

Mr Phillips: Bunch of lies.

The Speaker: Member for Scarborough-Agincourt, that's out of order. You must withdraw that comment.

Mr Phillips: I withdraw.

Interjections.

The Speaker: Member for Windsor-Walkerville, please come to order.

DEFERRED VOTES

SUPPLY ACT, 1998

LOI DE CRÉDITS DE 1998

Deferred vote on the motion for second reading of Bill 96, An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 1999 / Projet de loi 96, Loi autorisant le paiement de certaines sommes destinées à la fonction publique pour l'exercice se terminant le 31 mars 1999.

The Speaker (Hon Chris Stockwell): Call in the members. This will be a five-minute bell.

The division bells rang from 1408 to 1413.

The Speaker: All those in favour please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Hardeman, Ernie	Rollins, E.J. Douglas
Baird, John R.	Hamick, Charles	Ross, Lillian
Barrett, Toby	Hastings, John	Runciman, Robert W.
Bassett, Isabel	Hudak, Tim	Sampson, Rob
Boushy, Dave	Johnson, Bert	Shea, Derwyn
Carr, Gary	Johnson, David	Sheehan, Frank
Carroll, Jack	Johnson, Ron	Skarica, Toni
Chudleigh, Ted	Jordan, W. Leo	Smith, Bruce
Clement, Tony	Kells, Morley	Snobelen, John
Danford, Harry	Klees, Frank	Spina, Joseph
DeFaria, Carl	Leach, Al	Sterling, Norman W.
Doyle, Ed	Leadston, Gary L.	Stewart, R. Gary
Ecker, Janet	Marland, Margaret	Tascona, Joseph N.
Elliott, Brenda	Martiniuk, Gerry	Tilson, David
Fisher, Barbara	Maves, Bart	Tsubouchi, David H.
Flaherty, Jim	Munro, Julia	Turnbull, David
Ford, Douglas B.	Murdoch, Bill	Vankoughnet, Bill
Fox, Gary	Mushinski, Marilyn	Villeneuve, Noble
Galt, Doug	Newman, Dan	Wettlaufer, Wayne
Gilchrist, Steve	O'Toole, John	Wilson, Jim
Grimmett, Bill	Ouellette, Jerry J.	Wood, Bob
Guzzo, Garry J.	Parker, John L.	Young, Terence H.

The Speaker: All those opposed, please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Cullen, Alex	Martel, Shelley
Bisson, Gilles	Curling, Alvin	Martin, Tony
Boyd, Marion	Duncan, Dwight	McGuinty, Dalton
Bradley, James J.	Gerretsen, John	McLeod, Lyn
Caplan, David	Grandmaître, Bernard	Patten, Richard
Christopherson, David	Hampton, Howard	Phillips, Gerry
Churley, Marilyn	Kennedy, Gerard	Pupatello, Sandra
Colle, Mike	Kwinter, Monte	Ruprecht, Tony
Conway, Sean G.	Lalonde, Jean-Marc	Sergio, Mario
Cordiano, Joseph	Lessard, Wayne	Silipo, Tony
Crozier, Bruce	Marchese, Rosario	Wildman, Bud

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 66; the nays are 33.

The Speaker: I declare the motion carried.

Shall the bill be ordered for third reading? I hear a no.

Mr James J. Bradley (St Catharines): Committee of the whole.

The Speaker: No, I want to — it's obviously going to go to committee. Parliamentary assistant, what committee? *Interjections.*

The Speaker: I need a government member to give me a decision.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): General government.

The Speaker: Ordered to the general government committee.

ORAL QUESTIONS

BOARD OF INTERNAL ECONOMY DECISION

Mr Dalton McGuinty (Leader of the Opposition): In the absence of the Premier, I'll direct my question to the Minister of Education. Just a few moments ago, the Liberal Party introduced a bill called An Act to protect taxpayers from paying Al McLean's legal expenses. Your party supported this bill on first reading. We have it within our means to make this bill law today. We have it within our means to save taxpayers from paying \$600,000 that everybody in this Legislature knows and understands in their heart of hearts taxpayers should not be spending.

My question is quite simply, why is it that you have denied us this opportunity to save taxpayers this expense today, and will you now reconsider?

The Speaker (Hon Chris Stockwell): Acting Premier.

Hon David Johnson (Minister of Education and Training): I would say two things. Number one, the scheduling of the activities of this House is conducted in accordance with the three House leaders getting together and discussing the various activities that need to be debated in the Legislature. The government House leader considers the advice of the House leaders from the Liberal Party and the NDP and then makes decisions on what should be debated before this House. My suspicion is that there are quite a number of very important activities for the people of Ontario that should be addressed today in the House.

Secondly, private members' bills, as we all know, are debated in full through private members' time, and I would assume the member opposite would wish the opportunity to bring his bill to the attention of the House on a Thursday morning when these bills are debated and to have all the members of the House consider it at that point in time.

1420

Mr McGuinty: Minister, I appreciate the bafflebag and the gobbledegook, but this is a very simple and straightforward matter. It's a one-page bill. There are three sections. Section 2 gives the date on which it comes

into effect and section 3 gives us the short title of the act. The only section that really counts in here is section 1 and I'll read it so that Ontarians will know exactly what's in this bill. It says, "No amount shall be paid out of the consolidated revenue fund in respect of legal expenses incurred by the member for Simcoe East in connection with allegations of sexual harassment made against him during the 36th Legislature of Ontario."

This bill simply says that taxpayers should be relieved of the responsibility that you've already imposed on them to pay \$600,000 when they shouldn't be paying a cent. We can protect taxpayers here, now and today, but we need your consent, the consent of the members of the government, in order to help taxpayers. Will you allow us to do that?

Hon David Johnson: What I would say is that there are procedures to deal with matters before this House. Notwithstanding that the Leader of the Opposition, I gather, has read either a part of the bill or all of the bill, whatever, the government members and perhaps the third party haven't had a chance to see the bill. That's why we do have procedures such as the House leaders getting together to determine the proper order of business for the House on any given day; such as private members' business every Thursday morning with the opportunity for two members to come forward in a legitimate fashion and put their legislation before all the members of this House and for all the members of the House to have the opportunity to study the bill, to debate the bill and then to vote on the bill. That is the procedure that's in place.

Mr McGuinty: I'm going to have the page take a copy of the bill to you, so you'll see how simple and straightforward it is and that it really consists of only three sections. I want you to help me understand and I want you to explain to viewers today something about the hypocrisy connected with the government members' behaviour today.

The Speaker: Member, that's out of order. I ask you to withdraw.

Mr McGuinty: I withdraw the word "hypocrisy." Tell me something about the inconsistency. On first reading, every single government member present today stood up and voted in favour of this bill because they did not want to be seen to be voting against it. But when it comes down to the crunch, knowing that now you have the authority to make this law today, you're backing away. You're running away from this. So I'm going to ask you once more on behalf of Ontario taxpayers —

The Speaker: Question.

Mr McGuinty: — who are pleading with you to exempt them from this responsibility you've imposed on them, why can't we make this law today?

Hon David Johnson: Again, I would say that there is a proper procedure for dealing with these matters and the procedure is for the House leader from the Liberal Party and the House leader from the NDP to get together with the House leader on all matters and determine the order of business before the House. This is a time-honoured process — I'm sure the leader of the official opposition is

aware of this process — and then the government acts after the advice coming from the other parties.

I would suggest that the leader of the official opposition abide by that sort of process and, if he feels strongly about it, have his House leader talk to the House leader from the government.

The Speaker: New question, leader of the official opposition.

Mr McGuinty: Minister, I'm trying to give you a way out here today. I'm trying to be helpful. Everybody knows that you have screwed up big time on this issue. Check the editorials, check with your constituents, check with your backbenchers, check with your spouses, check with your friends. They will tell you that this is an embarrassment to the PC government, to Mike Harris's government in Ontario, and it is their rightful expectation that you will make things right, that you will correct it. You have it within your power today to pass a law that says Ontario taxpayers don't have to participate in this effort to bury this scandal. I'm asking you again, why can't we make this law today and give the benefit to Ontario taxpayers?

Hon David Johnson: I certainly do appreciate the help coming from the leader of the official opposition. I would say again that it is a time-honoured tradition in this Legislature that members do vote in favour of private members' bills on first reading as a matter of principle. The member for St Catharines would know, having been in the House some — what is it now? — 25 years, that members do support first reading bills on principle.

Beyond the first reading, there is the procedure of dealing with private members' bills which this House has found acceptable year after year, decade after decade for considering private members' bills in the Thursday morning debate period. I would suggest that the member opposite bring his bill forward for debate at that period of time and all the members of the House will have the opportunity to consider it.

Mr McGuinty: This House will shortly be recessing. It will be recessing tonight for months. It's proroguing.

When it came to the red light camera bill, we offered our co-operation. We said that we could pass first, second and third reading. We did it in 24 hours because it was in the public interest to do so.

Now we have an expenditure that you have decided to saddle taxpayers with to the tune of \$600,000. Why is it that we can't, together, act in the public interest once again? Why can't we save them from a \$600,000 bill? We've introduced the bill.

We can make it law today. Once more, tell us, tell Ontario taxpayers why we can't save them from this expense by making this law today.

Hon David Johnson: The red light camera bill is a case in point where the House leaders have got together, as is the tradition of this House, and have had the opportunity to discuss it, have had the opportunity to see it and come to a resolution of the matter. So it does work; the process does work. The House leaders do get together and they do resolve matters.

I don't know what the implications of this particular bill are. Standing here, I'm not a member of the Board of Internal Economy. I don't know all of the details. As I understand it, there is a legally binding agreement that's in place. I don't know if this particular bill has impact on it. These are the kinds of things that the House leaders should have the opportunity to discuss, and if there is goodwill on behalf of the second party, the official opposition, there would be notice, the opportunity to discuss this kind of thing or, better still, the opportunity that it be handled properly through the private members' business time on Thursday mornings.

Mr McGuinty: All this tells us is that you still don't get it. There is no goodwill over there whatsoever when it comes to relieving taxpayers of the \$600,000 bill that you shipped out to them. We've got members who pop up from time to time and tell us they're embarrassed by this, but when you're given the opportunity to do something, when you're given the opportunity to make things right, you shrink from it; you recoil. That just tells me that you still don't get it.

Believe me, this scandal is not going away. It's like a bad odour in an elevator: You can't get rid of it. This is going to haunt you right through the campaign. You've got an opportunity today to clean it up, you've got an opportunity to make things right, you're got an opportunity to show that you really are here in the interests of taxpayers and you're failing to do so.

One more time, on behalf of Ontario taxpayers, why can't we make this law today and save them from that \$600,000 bill?

Hon David Johnson: You will excuse the note of astonishment from the government members when we hear from the leader of the official opposition that when it comes to spending, this government doesn't get it.

When we look at the Liberal Party between 1988 and 1990, spending was up by \$10 billion, an increase in spending unparalleled in the history of Ontario, an increase in spending of \$10 billion; not a total spending of \$10 billion, an increase of \$10 billion.

Welfare recipients, those depending on welfare: through the roof during that period of time.

I have to say that the credibility of the Liberal Party in terms of spending is absolutely nil.

There are proper procedures to consider this private member's bill. We'd be more than happy to follow those proper procedures and that it be properly debated.

1430

Mrs Lyn McLeod (Fort William): On a point of order, Mr Speaker: Following the suggestions of the Acting Premier, I seek unanimous consent to have a brief recess of the House to allow the House leaders to meet and consider the further disposition of this bill today.

The Speaker: Agreed? No.

New question, leader of the third party.

Mr Howard Hampton (Rainy River): My question is for the Acting Premier. Your supply motion, which would provide for paying Al McLean's legal expenses, will now be going to the general government committee. That

means that when it goes to committee, we will be able to have witnesses come forth, we'll be able to call the lawyers and we'll be able to get to the bottom of what it is you've been asking the taxpayers of Ontario to pay for on behalf of Al McLean.

We know that the general government committee is scheduled to sit early in the new year so that the people of Ontario will know what expenses they're being asked to pay for. Will you commit here and now to call first and foremost Bill 96, the supply bill, before the general government committee so that people can, once and for all, understand what's going on here?

Hon David Johnson: I say the same thing to the leader of the third party as I've indicated to the leader of the official opposition, that the scheduling, not only of this House but of committee time, is a topic of conversation between the House leaders. This is traditionally the way it has been down through the years. When you were in government, this is exactly the way it was. When the Liberals were in government, that's exactly the way it was. I expect that the House leaders would discuss the matter of scheduling of all committees, including the general government committee.

Mr Hampton: I'll take the Acting Premier up on this. I ask for unanimous consent from the House right now that Bill 96, the supply bill, the bill which will pay Al McLean's legal expenses, be scheduled as the first thing on the agenda of the general government committee as soon as it sits in early January. Could we have unanimous consent for that, Speaker?

The Speaker: Agreed? No. Supplementary.

Mr Hampton: It doesn't end. For some reason, the government doesn't want to get to the bottom of this, do they?

I want to read to you from Al McLean's press release yesterday. He says: "The money" — he's talking about the money that was going to be paid to him — "does not compensate for the loss of my office. It does not compensate for the suffering my family has gone through. But it does cover the costs that could have been avoided if the complaint was handled properly the first time."

We all need to know, and the citizens of Ontario need to know, what are these costs that Mr McLean says could have been avoided? If you're going to force people to pay Mr McLean, then people want to know what it is they're being forced to pay.

It's a very simple question. We know the committee is going to meet. We know that this matter is going to be before the committee. We know that when it comes before the committee we'll be able to call the lawyers in, ask them questions, and we'll be able to call other witnesses. We'll be able to get to the bottom of this.

What do you have to hide, Acting Premier? Will you put this first and foremost on the list so that people of Ontario will know what it is you're asking them to pay on behalf of Al McLean?

Hon David Johnson: We have to recall again that I am not forcing anybody to pay anything; the government is not forcing anybody to pay anything. This is a decision

that was made by the Board of Internal Economy. The Board of Internal Economy has the responsibility for this matter. The Board of Internal Economy, to refresh memories all the way around, is composed of one member from the NDP, one member from the Liberals and four members from the government. This has traditionally been the makeup of the Board of Internal Economy, plus, I might add, the Speaker. The Speaker chairs the committee. This committee is at arm's length from the government and looks after the matters dealing with the Legislature in addition to matters dealing with the auditor, Ombudsman and a number of other special areas of interest in the province of Ontario.

This committee, seized of this matter, looked at all the facts over a period of time and came to a conclusion in the light of attempting to reduce the financial impact on the taxpayers.

Mr Hampton: Minister, we've heard from you, from the Premier, from the Deputy Premier for two weeks now this line that the matter has been dealt with, it's over with. But it hasn't been dealt with; it's not over with. People object to paying Al McLean's legal expenses in what is essentially a private matter.

We've given you an avenue, a regular avenue — the general government committee — where you can examine this; you can assume your responsibility as government; you can assure the people of Ontario that this is all right and proper; you can assure the people of Ontario that this should be done. We've given you an opportunity to clear the air, to show accountability, to show responsibility to the taxpayers and the citizens of the province. What do you have to hide, Minister? Why won't you commit, here and now, to put this number one on the agenda of the general government committee so the people of Ontario can understand what it is you're asking them to pay on behalf of Al McLean and his scandal?

Hon Mr Johnson: As the leader of the third party has indicated, this matter has been directed to the general government committee; the House leader has directed the matter there. I understand that this particular committee has at least one other matter, maybe other matters beyond that before it. I think there is the franchise legislation, which has been sought for many, many years, if not decades, by all the franchisees in the province of Ontario. Perhaps you don't consider the franchisees in Ontario to be important or significant; I don't know.

The Speaker: Answer.

Hon David Johnson: At least, this is a matter that the House leaders need to consider in a calm fashion, as they normally do, as they did when you in were government, as they did when the Liberals were in government, and resolve which matters take priority, which matters should be heard, when they should be heard etc. That's the way these matters have always been considered and I suggest it's appropriate in this particular case as well.

The Speaker: Supplementary.

Mr Hampton: Well, Minister, you could clear this up today.

I believe this is a new question, Speaker, just to be sure.

The Speaker: Yes, you're right. I apologize.

Mr Hampton: To the Acting Premier: We could do this right now. I asked for unanimous consent a few minutes ago. I heard virtually everywhere in the House unanimous consent to send it to committee, except I believe I heard your House leader say no. So I come back to you. Here is a perfect opportunity to schedule this before a regular committee of this Legislature to get all of the facts out in the open, to assure the public of Ontario exactly what is happening, to inquire about whether this has been handled or not handled appropriately. Here is your perfect opportunity.

The Premier says he isn't happy with how this has been handled. The Deputy Premier said he wasn't comfortable with this. Here is your opportunity, Minister. We could settle it right here, right now. You can schedule it for hearings. We can begin the work of calling witnesses, calling the lawyers. You could go to the people of Ontario in the middle of January and say: "Here's the full information." Why wouldn't you want to do that.

Hon David Johnson: The leader of the third party has indicated that the Premier has expressed that he's not happy. Yes, the Premier has expressed an exasperation, a frustration with the whole process, with the fact that apparently the policies of the Legislative Assembly, through the Board of Internal Economy, were not sufficient to deal with this matter in the first place.

I think the Premier is happy to see that the board is coming to grips and introducing policies with regard to wrongful dismissal, policies that, had they been in place in the first instance, perhaps might have dealt with this particular matter. Yes, it is a frustrating and exasperating matter, there's no question about it.

Through my 20-some-odd years in politics I've had to deal — I'm sure you had to as well when you were in government — with wrongful dismissal situations, tenders, where there is legal dispute. The only thing you can rely on is that when you get two parties involved and two lawyers involved, you get two equal and opposite opinions and the bills roll on and on and the taxpayers get hurt. So sometimes they have to be resolved, to the benefit of the taxpayers.

1440

Mr Hampton: Minister, your own Premier said he wasn't happy with how this was handled. He didn't believe it had been handled properly. I heard your Deputy Premier not a few days ago say that he was very surprised by some of the things that were included in all of this and he didn't think it was appropriate.

Here is a regular committee of the Legislature, which we know is going to sit some time early or middle of January. Here is a chance now to get a full airing, to get to the bottom of this. If people want to advocate on behalf of Mr McLean, they can step up to the microphone and make their point. If other people want to ask questions and get the facts out, they can do that. It seems to me that's the essence of democracy, allowing that public questioning,

that public debate, so that the public of Ontario can decide for themselves.

What is it, Acting Premier, that you don't like about democracy? What is it that you don't like about a full and open discussion so the people of Ontario can find out what's really happening here?

Hon David Johnson: I'm a very strong supporter of democracy. I've been involved in the democratic process for many, many years, having my first election in 1972. Through that period, I've taken part in many democratic elections and processes. I'm a very staunch supporter of democracy.

I don't think anybody is very happy with this situation. I'm sure the two individuals involved, Mr McLean and Ms Thompson, who are trying to put this behind them, who were involved in a whole plethora of lawsuits — which have apparently been cleared away by this settlement, as I understand it, although I'm not on the Board of Internal Economy — I don't think they're very happy with the situation, but they're prepared to get on with their lives and put this behind them. The Premier has expressed his unhappiness, particularly with the fact that the policies out of the Board of Internal Economy did not adequately cover this situation.

The Speaker: Answer.

Hon David Johnson: Now the Board of Internal Economy is bringing in new policies to cover this kind of situation. But I think the Board of Internal Economy, as I understand it, has done the best it could under these circumstances and is attempting to clear up this matter on behalf of the taxpayers and put the taxpayers at minimum financial —

The Speaker: Final supplementary.

Mr Hampton: The Acting Premier brings up Ms Thompson again. In her press conference, Ms Thompson said very clearly that she did not believe that the taxpayers of Ontario should be picking up this expense. She said very clearly that in her view this was a private matter with Mr McLean, and the taxpayers shouldn't be picking this up.

You say you want to look at how the Board of Internal Economy handled this. You don't believe the Board of Internal Economy handled it appropriately. Well, here is a regular committee of the Legislature where you can do all of those things. In the debate over this supply bill, we can call witnesses, we can ask people to state why they believe Mr McLean's legal expenses should be paid, we can get into all of those issues. We can have a thorough public airing of why you believe, why your members of the Board of Internal Economy believe, that the public should pick up these expenses for Mr McLean.

I just ask you again, why are you so afraid of this? Why don't you want the public of Ontario to find out the details of what's really happening here? What are you afraid of? What are you trying to hide?

Hon David Johnson: I'm a little at a loss to know what the question is from the leader of the third party. The matter has been directed to the general government committee. The government House leader has directed this

matter to the general government committee. As in the case when you were in government and the Liberals were in government, the job is for the House leaders to sit down and not only consider this matter but all matters before this particular committee, and before all the other committees of this House, and to determine a schedule. It seems to have worked over the years. My suspicion is that it could work in this particular case.

Again, this is not a happy matter. The Premier is obviously not happy with it, not happy that the policies of the Board of Internal Economy didn't cover this particular circumstance. I'm sure the federal government isn't happy with the fact that it has to set aside hundreds of thousands of dollars to resolve wrongful dismissal suits. These are never happy matters, but sometimes tough decisions have to be made. I don't know if the Board of Internal Economy made the absolute best decision or not; I'm not there. I think the people there have striven —

Mr Hampton: Striven?

Hon David Johnson: — strived, whatever the word is — to reach the best resolution to save the taxpayers money in the longer run, and hopefully that's the way it has worked out.

SCHOOL CLOSURES

Mr Dalton McGuinty (Leader of the Opposition):

My question is for the Minister of Education. Minister, I want to speak to you about the destruction and havoc that your amended funding formula is causing to schools in the Ottawa area, my community. Outside the Ottawa area, when we talk about the public board now, there are 7,000 children going to school in portables. There is a tremendous amount of pressure coming from the suburbs to build new schools, but according to the terms of your funding formula, that means we have to shut down highly valued inner-city schools.

You said, and I quote, "No school in Ontario will have to close because of the funding formula." The fact of the matter is you're pitting community against community, and the board is left with no option but to close schools. Will you then, understanding the real implications of your funding formula, agree to scrap your funding formula and start afresh with a funding formula that doesn't pit one community against another?

Hon David Johnson (Minister of Education and Training): Just listening to the question from the Leader of the Opposition and looking down at my notes with regard to the Liberal years, I'm wondering how education was handled during those years. I see that in 1988, for example, apparently there were 17 schools built in Ontario. How many schools were closed in 1988? Twenty schools were closed. There were actually three more schools closed under the Liberal government in 1988 than were built in 1988. This is the record of the Liberal government.

The announcement made by the Premier and myself added \$211 million of permanent funding, to recognize that some schools are operating below capacity, to offer a

20% top-up, to recognize that some schools have wider hallways and larger tech rooms and to offer more money for that. Two hundred and eleven million —

The Speaker (Hon Chris Stockwell): Supplementary.

Mr McGuinty: There are 7,000 school children going to school in portables outside the city of Ottawa. Those kids can't get outside of those portables unless the Ottawa board shuts down inner-city schools. You don't seem to understand the value of neighbourhood schools to neighbourhoods right across this province. It's your funding formula that is pitting one community against the other. It's your funding formula that is requiring the Ottawa board to close schools. You wanted all control over all education. Well, now you've got it and you have to wear these impending closures. But there's a way out. You can scrap your funding formula, you can start anew and put something in place that attaches a real value to neighbourhood schools. Will you do that, Minister?

Hon David Johnson: I understand a couple of things. As a result of the extra money that the Premier and I announced about a month ago, some \$211 million — actually, next year it works out to be \$236 million, but permanently \$211 million — school boards are re-evaluating their plans all across Ontario. The Catholic school board here in Toronto has decided not to close any schools. The public system here in Toronto has pulled back all of its list and will be looking at a much lower list, if anything. Last night Simcoe county decided not to close any schools.

I also understand that when the Liberals were in power, there were roughly 30 schools a year built, on average, and this government is providing resources to school boards to build double that number, double the number the Liberals funded when they were in power — that's the capital flow — and operating flow of an extra \$211 million to support the maintenance and operation of those schools.

1450

TEXTBOOKS

Mr Howard Hampton (Rainy River): A question to the Minister of Education and Training: You've been bragging around Ontario about the new textbook program. You've told people that this has been wonderful for publishing etc. We've looked at some of the textbooks and we are really struck by the degree to which pronunciations and sometimes spellings are the American spellings. I'll give you an example, the word "lieutenant." Do you know how that would be spelled and sounded in the English dictionary? Do you know how the word "lieutenant" would be spelled and sounded in the English dictionary, sir?

Hon David Johnson (Minister of Education and Training): I don't know exactly what the point is here. I can say that the enormous success of the program we've had to provide books to our elementary students across the province has resulted in some 3.3 million books, which is almost three books per child being allocated to students

across Ontario. If the inference is that it's American publishers, I'm pleased to inform the leader of the third party that each and every publisher is located in Canada and has been providing books for at least 15 years to our schools. It was the same publishers that provided books when you were in power. It's the very same ones who provided the books, the 3.3 million books to our elementary students and we're darned proud of that program. It's been a great program.

Mr Hampton: The Minister of Education tries desperately to avoid the issue. When you look in any standard dictionary — this is a Canadian Oxford Dictionary — it is very clear that the pronunciation is "lef'tenant," and that's Canadian English. This is the Oxford English Dictionary, which is a thorough revision of the foremost authority on current English, and the pronunciation and spelling is "lef'tenant," but in your textbook, which was originally printed in the United States and where example after example are American examples, what it tells Ontario students is that it's "loo'tenant." Minister, we can point to example after example where in fact what you call Ontario textbooks —

The Speaker (Hon Chris Stockwell): Stop, hold on. I'm looking up the word and it's not "lef'tenant."

Interjections.

The Speaker: Leader of the third party.

Mr Hampton: Minister of Education, we can find example after example that exposes the fact that these are really just American textbooks that you brought into Ontario. The question is this: What are you going to do to rectify your quick ordering of the textbooks, which in fact bring American spelling and pronunciation, and which are frankly quite confusing for a whole lot of students and are frankly quite wrong in terms of Canadian English? What are you going to do to fix up another of the mistakes that you and your government, who claim to know everything, have committed in the world of education? What do you do now?

Hon David Johnson: Either this has to be the last day of the Legislature or somehow I've wandered into a spelling bee; I don't know which.

Interjections.

The Speaker: Order.

Hon David Johnson: They're exactly the same publishers that published books when the NDP were power, exactly the same publishers that printed books when the Liberals were in power. I'll tell you what the difference is: This government has provided money so that textbooks could be printed and students are actually getting textbooks in the province of Ontario.

I can believe this spelling bee nonsense from the leader of the third party, or I can believe a parent who has written to me. The parent says: "Thank you so much. My daughter is in grade 8, and for the first time she has textbooks to study with this year. Keep up the good work." I'll believe this parent.

HOSPITAL FUNDING

Mr Bert Johnson (Perth): My question today is for the Minister of Health. As we draw closer to the year 2000, computer capacity to handle the date change is of concern to many different sectors, both private and public. Many of my constituents in Perth county have expressed concern that the highly computerized sectors of government will not be ready to handle this crisis. Already people are worried that they should have emergency rations available for January of the year 2000 — I'm suggesting pork chops — in case systems that depend on their local area crash.

I was pleased when you recently made an announcement regarding additional funds for hospitals to help them deal with the year 2000 computer virus. It shows once again that this government is being proactive, fair and reasonable in ensuring that the health care sector is prepared for emergencies. To the hospitals in my riding of Perth, this announcement meant an additional \$1.7 million. Could the minister please provide further details about this financial assistance from the government and outline for the people of Ontario the reaction of the hospital sector?

Hon Elizabeth Witmer (Minister of Health): Yes, our government is working with the health sector. Last week we made available to hospitals throughout the province approximately \$278.5 million. That will be available to them. Many of the hospitals have been diligently preparing for the year 2000. As you know, it is important that they ensure that all of their medical equipment, such as ultrasound and others, is ready, so they are doing testing, they are doing remediation and obviously they're preparing contingency plans. We are working collaboratively with the hospital sector. We have made money available to them. We will continue to ensure that we are ready to face the year 2000 and know that the medical equipment is ready for people in this province.

Mr Bert Johnson: At the same time as the minister announced funding for the year 2000 compliance in the health sector, a further announcement was made about additional funding for hospitals. This further announcement will mean an additional \$361,000 for hospitals in Perth county. Could the minister please provide the people of Ontario with details of this announcement, specifically the timing on when the money is expected to flow?

Hon Mrs Witmer: In the cases of both the year 2000 money and the transition fund, which includes about \$100 million, both of these amounts of money will be available to the hospitals this month. It will be added to their allocations. The money in the transition fund, the \$100 million, is to ensure that hospitals can continue with restructuring. This is an interim amount of money that is being made available to address some short-term financial pressures as they proceed with restructuring.

We are very pleased that the hospitals are moving forward. They are enhancing the services within the hospitals, they are strengthening their services, they are providing more services. We're continuing to work with

the hospital sector in the advisory committee and they will be coming forth soon with more long-term recommendations in order that together we can reform and strengthen the health system in Ontario.

1500

GOVERNMENT CONSULTANTS

Mrs Sandra Papatello (Windsor-Sandwich): My question is for the Minister of Community and Social Services. Just as a recap, the Provincial Auditor unleashed a most scathing report on the ministry's deal with Andersen, specifically for \$180 million as a minimum. The minister claimed last week that she was never briefed, although it was signed.

We wondered, after the deal was signed, if the minister questioned any part of this very open-ended contract; for example, why the contract included a list of excluded costs that had no cap; why the contract called for the consultant, who is the expert, to advise on what kind of excluded items they'd require and then the taxpayer would pay for those excluded items above the \$180 million. That, of course, was reimbursed by taxpayers.

The Provincial Auditor said today there is no excuse whatsoever for not entering into this on a sound business basis.

Minister, you paid another consultant \$285,000 in order to enter into this deal with Andersen. Now that this deal basically has been blown up, could you tell me if you got good value for the \$285,000?

Hon Janet Ecker (Minister of Community and Social Services): As the honourable member knows, the information technology system, the business process that supports the delivery of the welfare system in this province, is sadly out of date. It's unfortunate that previous governments had not started to take some of the steps to reform the system. We recognized that this was an urgent priority.

We also recognized that the ministry did not have the information technology expertise to fix the system. That's why we went through an open bidding process. We chose common purpose procurement, which is the type of contract that this is. This type of contract has been used by the federal Liberal government, it's been used by the New Brunswick Liberal government. It was a decision to proceed in this fashion by the previous NDP government.

We've certainly acknowledged that the management of this contract left much to be desired. It's one of the reasons why we have the third party review in, to help supplement recommendations from the auditor so we can ensure the taxpayers' money is indeed protected.

Mrs Papatello: Just to be clear, you paid \$285,000 to another consultant to help you sign the \$180-million deal with Andersen. You received information from the Provincial Auditor months before his report became public. In fact, you received draft reports as early as February and March of this year. He specifically raised concerns about why you had begun paying Andersen millions of dollars with no proof of Andersen finding you

savings, no receipts for expenses, and being behind schedule by over a year. When he pointed this out, he said that's why they were in the deal in the first place, because they were to share in the risks. You not only continued to pay them after the auditor said you shouldn't, you paid them the majority of the money after the auditor told you not to. You paid them profit on the fees they were charging you. You not only continued to pay them after the auditor told you not to, you paid them 63% more than the contract told you to pay them. Minister, how do you defend this contract?

Hon Mrs Ecker: The last time I checked, private sector companies did tend to make a profit on the work they did, otherwise they wouldn't continue in existence very much longer.

The other thing I would like to mention to the honourable member is that, unlike the previous government, we recognized that the expertise to make this reform did not exist in the ministry. That's why we went out to hire the expertise to do this reform.

The other thing the honourable member likes to conveniently forget in her rather muddled recitation of what she believes to be the facts is that there have indeed been significant savings from this contract. That is why Andersen has been paid anything at all, because there have been savings. That is one of the important things —

Mrs Papatello: The auditor can find no proof of savings.

Hon Mrs Ecker: I know we're not supposed to accuse people of deliberately misleading the House so I won't do that, but I would really like —

The Speaker (Hon Chris Stockwell): Do you know what? That's still out of order. You can't do that. It's the same occurrence. I would ask you to withdraw.

Hon Mrs Ecker: I would like to withdraw that comment, Mr Speaker, but I really would like to refresh the honourable member's memory from the discussions and the briefings she has had on this issue. There have indeed been —

The Speaker: New question.

AFFORDABLE HOUSING

Mr Rosario Marchese (Fort York): My question is to the Minister of Housing. On November 30 the member for Beaches-Woodbine asked you a question to which you responded: "I would like to point out that the homeless and abused spouses get first priority for any housing. They go right to the top..." of the list.

Speaker, there's a problem. I'm not sure he is able to hear me.

The Speaker (Hon Chris Stockwell): Wait for the minister to get the earpiece in.

Mr Tony Silipo (Dovercourt): It's Janet who is talking.

The Speaker: I'm not certain who is making the noise, but are you ready?

Mr Marchese: Minister, on November 30 the member for Beaches-Woodbine asked you a question to which you

responded: "I would like to point out that the homeless and abused spouses get first priority for any housing. They go right to the top..." of the list. We agree with that, but there appears to be an emerging problem. Your social housing committee, which reported to you on November 3, basically said that should end. Recommendation 33 says that it should be up to the municipalities to decide whether abused women get housing. More abused women could be left homeless, a situation that I would find abhorrent, Minister. You might agree with that, I'm not sure.

Why is your government even considering reducing the access of abused women to public housing?

Hon Al Leach (Minister of Municipal Affairs and Housing): As the member knows, the committee that made that recommendation was a cross-section of stakeholders involved in housing and homelessness etc. They are recommendations that have been made to the government. The government has them under review.

I personally do not agree with that recommendation. I strongly believe that abused women should go to the top of the list for housing, as they do now, as is the policy of this government at the present time and as was the policy of the previous government. I believe that should remain.

That being said, the report that was done by that committee contained a number of recommendations that will be beneficial to all those who are seeking shelter and those who are suffering from homelessness at the present time. We intend to review that report and review all of the recommendations that have been made in total context.

The Speaker: Supplementary.

Ms Marilyn Churley (Riverdale): I would like to thank the minister for that response. Frankly, I believed that's what the response would be. I couldn't believe that the minister or anybody in the government would support that kind of recommendation. Thank you very much for assuring us that you will see to it that that recommendation is wiped out as quickly as possible, because there are people out in the community very concerned about this.

As you know, the United Way said that 66% of shelters say that they know of abused women who returned to the abusing partner because they felt they couldn't afford to leave. The same United Way report says that 75% of abused women who do leave arrive in shelters with their children.

As you know, we have a real short supply of affordable and social housing and the waiting list is very long, so even with these women at the top there is a real problem. I am wondering if you will commit today to your government getting back into providing affordable housing for those most in need in our province, including these battered women.

Hon Mr Leach: I'm sure the member is aware of the report on homelessness that is coming out from Anne Golden. I think it's going to be tabled on January 14 or 15. That's going to recommend, I'm advised, that the federal government, the provincial government and municipal governments get together to review what programs should be put in place to ensure that we look after all those who require shelter in Ontario, not just in the city of

Toronto where the problem is a little bit more acute than it is in other parts of the province, but right across.

I have had an exchange of correspondence with my counterpart at the federal government, we have had discussions with the municipal government, and I would advise the House that when that report is tabled by the Anne Golden task force, we will immediately get together with the other stakeholders to develop a policy to deal with this issue.

1510

LONG-TERM CARE

Mr Garry J. Guzzo (Ottawa-Rideau): My question is to the Minister of Long-Term Care. As everyone in this House knows, the only government in Canada which has cut health care spending is the federal Liberal government in Ottawa.

Interjections.

Mr Guzzo: That's right, the government in Ottawa, which is headed by Sergeant Pepper of the Hunt Club. This man brags about having cut \$2.7 billion out of transfer payments to this province alone. Notwithstanding those severe cuts, this government has moved forward and has provided better health care closer to home.

On that note, Mr Minister, I would like to ask you to outline —

The Speaker (Hon Chris Stockwell): Minister.

Hon Cameron Jackson (Minister of Long-Term Care, minister responsible for seniors): I want to thank the honourable member, who has expressed concern about the access to long-term-care beds in the Ottawa area. There are several members from the Ottawa Valley on the opposite benches, and I know they'd like to listen to this answer: We're very pleased that we have expanded access to transition beds and have already begun moving patients in the Ottawa area. Over 70 have now found placement. The Sisters of Charity, for example, began last week transferring residents. We're transferring them in Deep River, in Pembroke, all through the Ottawa Valley.

We're very pleased that this government has been able to provide this initiative to a growing number of nursing home residents who are stuck in hospital beds because the previous two governments failed to build one new long-term-care bed in this province. As a result, over 70 residents in the Ottawa Valley are going to be able to receive their Christmas dinner this year without having to receive it sitting up in a hospital bed; they'll now be able to receive it with their families in congregate dining settings, which is what long-term care provides for them.

Mr Guzzo: I thank the minister for the answer. I can't help but think about our \$1.2-billion multi-year commitment for 20,000 new long-term-care beds, 320 of which have been approved for Ottawa, with another 1,000 to come.

I have a letter here dated November 13 of this year from the member for Ottawa South, the leader of the official opposition. I read the letter a couple of times, and not once in his stand on health care does he mention

anything about seniors or long-term care. In 1995, the Liberal Party's only commitment to long-term care in their red book was to set up a committee to study long-term-care needs.

Do you have any evidence at all with regard to a plan for this party? We know they had not had one in 1995. The member for Ottawa West has announced that they don't have one now —

Interjections.

The Speaker: OK. Stop the clock, please.

Minister.

Hon Mr Jackson: The honourable member raises a very important point, because we know that the previous Liberal government, under David Peterson, refused to build any long-term-care beds for seniors in this province and the NDP government of Bob Rae refused to build beds for seniors in this province. So now when this government puts in a long-term plan to spend \$1.2 billion, when we are going to expand the number of beds in Ottawa by 1,300 new beds, when the member from Ottawa, the leader of the official opposition, Dalton McGuinty, indicates he has no position to support seniors in this province —

Mr John Gerretsen (Kingston and The Islands): Mr Speaker, on a point of order: Surely it's inappropriate. That minister can answer questions about things that happen within his government department, but it's inappropriate for him to make comments with respect to a policy that another party may have.

Interjection.

The Speaker: Order, member for York-Mackenzie.

Member for Durham East, I know that's not your seat.

I want to just say I thought the same thing. But the question was about long-term care. He is the Minister of Long-Term Care and it would fall within his responsibilities.

Hon Mr Jackson: The leader of the official opposition has made promises to the people of Ontario to expand health care by \$3 billion, but not one of those expansions is to honour the commitment to build the long-term care beds that seniors require in this province. We are making up for 10 lost years of support for seniors in this province, yet the Liberals have no position for long-term-care to support the seniors. A thousand more beds will be built under a Mike Harris government in the Ottawa area in spite of the neglect of seniors by the Liberal Party in Ontario.

PROSTATE CANCER

Mr James J. Bradley (St Catharines): I have a question for the Minister of Health, who wants to close the Hotel Dieu Hospital in St Catharines. The question is about a test that is important to many people in Ontario. It's called the prostate-specific antigen test. At this time, any man who wishes to have the prostate-specific antigen test must pay a fee because it is not covered by the Ontario hospital insurance plan. Many people in this province who have written to me and contacted me have

said that this is a test which in some cases may have saved their lives, in some cases may have prevented further illness or deterioration in their circumstances.

I want to ask the minister: Why is it that this government is forcing men in this province to pay for the PSA test, which could prevent them from getting cancer or detecting cancer early?

Hon Elizabeth Witmer (Minister of Health): As you know, it's not the government that makes decisions as to what is approved or what is not approved; it is determined by a panel of experts. We continue to receive and review the information that is provided to us.

Mr Bradley: As usual with this government, they're first in line to accept the credit and last in line to accept the responsibility. This is clearly within the purview of the provincial government.

We all support many of the screening tests that are there for women in this province. They should not have to pay for them. They have been successful —

Interjection.

Mr Bradley: I'm sorry, do you not support those tests for women in this province, sir? Do you not support that? Do you not support the PSA test? If so, tell the people. We all support that in this province. There shouldn't be any cost for that.

Men in this province face the threat of prostate cancer. In many cases, that threat can be alleviated by the PSA test. Will you give an undertaking in the House today to have OHIP cover the cost of the PSA test in this province?

Hon Mrs Witmer: As the member well knows, it isn't he and it's not the politicians who make these decisions. These decisions are made by experts. The test is paid for, for monitoring purposes. But at such time as the recommendation would come forward that the extension of compensation would also be there beyond the monitoring, obviously we would be prepared to support that recommendation.

TORONTO POLICE ASSOCIATION

Mr Howard Hampton (Rainy River): I have a question for the Solicitor General. Earlier this month, the Toronto Police Association issued a press release saying that they were going to start a multi-million dollar fund which would allow them to sue anyone, investigate anyone or harass anyone who criticizes the police or otherwise causes unnecessary hardship for a member or members. They're talking about hiring private investigators to go out and investigate anyone who criticizes an individual police officer or an individual police act. If this were a dictatorship in South America or if this were a Hollywood movie about a corrupt city in the United States, I could understand a theme that says something like, "Muzzle the press, sue anyone who criticizes you or disagrees with you, and harass citizen oversight bodies," but is this acceptable in your vision of Ontario? Is this acceptable in your vision of policing and police accountability in Ontario, sir?

Hon Robert W. Runciman (Solicitor General and Minister of Correctional Services): This is essentially a

local issue and should be dealt with by the police services board at that level. I fully expect police officers will continue to act in a responsible and professional manner.

1520

MEMBER'S COMMENTS

Mr Gerry Phillips (Scarborough-Agincourt): On a point of order, Mr Speaker: A week ago today the member for Scarborough East made certain charges in the Legislature. I asked you to investigate those charges. You've had an opportunity to review them. Earlier I requested that he withdraw them voluntarily. I wonder, Mr Speaker, if you might consider requesting the member to withdraw those comments.

The Speaker (Hon Chris Stockwell): At the time I gave my report, it was a verbal report. I didn't do a written report, so the report as it stands was the verbal report last Thursday.

In hindsight, you must stand on a point of order and ask someone to withdraw at the time the statements are made. Let's be clear: I think he used some intemperate language. I would have asked him to withdraw at the time. Obviously, it was my fault; I didn't act appropriately. All I can do is apologize to the House and just caution all members to be very careful with the language they use.

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: I'd like to ask unanimous consent for the House to move to second reading vote on the private member's bill introduced earlier by the member for Kingston and The Islands. If I may, Speaker, I understand there was a request for unanimous consent for both second and third reading today. I'm asking simply to go to second reading vote.

The Speaker: Shall we go to second reading on Bill 104? Is it agreed? I heard a no.

Mr Howard Hampton (Rainy River): Point of order, Mr Speaker: I'm going to ask for unanimous consent. As I speak in the Legislature now, Ontario's Arab and Muslim communities are going through a particularly heart-wrenching ordeal as a result of the American bombing of Iraq. I ask for unanimous consent by this Legislature for a motion condemning the American bombing of innocent civilians in Iraq and its impact on Ontario's Arab and Muslim communities.

The Speaker: Agreed? No.

LEGISLATIVE PAGES

The Speaker (Hon Chris Stockwell): I want to take this opportunity to thank the pages, because obviously since it's our last day, it's their last day. I want to thank them for the wonderful job they've done and wish them all success in the future. I hope you enjoyed yourselves.

SPEAKER'S RULING

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: You will recall that I raised a question on the standing order —

The Speaker (Hon Chris Stockwell): The point respecting whether or not I have the power to refer something to a committee?

Mr Wildman: Yes.

The Speaker: You know, that's right; I do recall that. I was going to rule on that, and I will, today. I'll rule today.

VISITORS

Mr Wayne Lessard (Windsor-Riverside): I agree in extending acknowledgement and thanks to the pages, and I just want to introduce Chiara Van Hooren's parents, from Windsor-Riverside, in the members' gallery today.

PETITIONS

BOARD OF INTERNAL ECONOMY DECISION

Mr Mike Colle (Oakwood): I wish to introduce a petition to the government of Ontario.

"Whereas the taxpayers of Ontario are being compelled to pay \$600,000 to settle a case between two private individuals involving a sexual harassment suit between a member of the Conservative government of Mike Harris and a former employee of his; and

"Whereas the legal costs of the member of the government caucus involved in a private legal action brought against him by a former employee in his office will be paid for by Ontario taxpayers as a result of Conservative members' votes; and

"Whereas the Conservative government is underfunding health, education and other vital areas under provincial jurisdiction but has money to pay for the legal obligations of one of its own members;

"We, the undersigned, call upon Premier Harris to have his Conservative Party reimburse the taxpayers of Ontario for these legal costs incurred as a result of the McLean case."

I'll affix my name to this petition.

ONTARIANS WITH DISABILITIES LEGISLATION

Mr David Christopherson (Hamilton Centre): I have a petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the Hamilton area Ontarians with Disabilities Act steering committee have worked hard and diligently consulting with the current government to provide information, advice and feedback to achieve a strong and effective Ontarians with Disabilities Act; and

"Whereas Ontarians with disabilities encounter constant barriers in accessing many buildings, public transportation, communication, housing, job training, education and health care; and

"Whereas an Ontarians with Disabilities Act should provide legislative mandates and guidelines for the elimination of barriers to disabled persons; and

"Whereas an Ontarians with Disabilities Act should include enforceable standards to eliminate major areas of discrimination and barriers disabled persons must face daily; and

"Whereas the Progressive Conservative government's Ontarians with Disabilities Act does nothing to address and correct the many barriers faced by disabled persons in Ontario; and

"Whereas the Hamilton ODA steering committee joins with the broad spectrum of groups and individuals who believe that the ODA introduced by this government is an insult to all Ontarians, especially those with disabilities;

"We, the undersigned, petition the Legislative Assembly to introduce a disabilities act that will provide mandates and enforcement measures to eliminate the barriers that Ontario's disabled face daily when trying to access public transportation, education, health care, job training, housing and communication."

I join with the Hamiltonians who have signed this petition by adding my name to it also.

BEAR HUNTING

Mr John Hastings (Etobicoke-Rexdale): I have a petition to the Legislative Assembly of Ontario which reads:

"Whereas bears are hunted in the spring after they have come out of hibernation; and

"Whereas about 30% of the bears killed in the spring are female, some with cubs; and

"Whereas over 70% of the orphaned cubs do not survive the first year; and

"Whereas 95.3% of bears killed by non-resident hunters and 54% killed by resident hunters are killed over bait; and

"Whereas Ontario still allows the limited use of dogs in bear hunting; and

"Whereas bears are the only large mammals hunted in the spring;

"We, the undersigned, petition the Parliament of Ontario to amend the Game and Fish Act to prohibit the hunting of bears in the spring and to prohibit the use of baiting and dogs in all bear hunting activities."

I'll affix my signature to this.

LAND USE PLANNING

Mrs Lyn McLeod (Fort William): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Lands for Life round tables' recommendations that would allow logging and mining of 92%

of the planning region do not reflect what we believe is best for the future of Ontario; and

"Whereas the women of Ontario represent over half the population and yet made up only five out of 40 committee members on the Lands for Life round tables;

"We, the undersigned women of Ontario, petition the government to protect a minimum of 20% of public lands in central and northern Ontario. The women of Ontario want these lands protected for generations to come from logging, mining and hydroelectric development. Experience has shown us that our wilderness cannot be plundered without consequence. We should respect its undeniable role in supporting all life, including our own. We want a legacy to leave to our children. We want them to enjoy the rich diversity and beauty of our land. Premier Harris, we want to be heard. We are your mothers, sisters, grandmothers, spouses, daughters, friends, co-workers, bosses and employees. If we lose our opportunity to protect the wildlife, wetlands, forests, lakes and rivers of Ontario, you will lose our support."

This is supported by literally hundreds of concerned women across Ontario.

PROPERTY TAXATION

Mr David Christopherson (Hamilton Centre): I have a petition which reads as follows:

"Whereas we, the undersigned petitioners, members of SOAR, Steelworkers Organization of Active Retirees, wish to object and protest the so-called fair tax assessment as initiated by the Ontario provincial government and implemented by the Hamilton-Wentworth region and local municipalities; and

"Whereas this so-called fair tax has brought hardship to many residents in the Hamilton-Wentworth area; and

"Whereas this hardship, in our opinion, is without justification;

"Therefore, we demand that the local politicians who represent the undersigned petitioners make a strong case to the provincial government to have this unfair, increased property taxation reviewed and returned to its former status for the seniors in our community."

I join these petitioners by adding my name.

1530

CHILD CARE CENTRES

Mr William Sauderson (Eglinton): I wish to present a petition on behalf of 100 parents and workers at the Central Eglinton Day Care Centre in my riding of Eglinton. The petition basically reads as follows:

"We believe that non-profit, school-based child care is an excellent way to provide daycare and early childhood education for our children. We believe that the funding formula in Bill 160 seriously threatens this superb system.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"In the name of good, stable and equitable care and education for our children, we therefore ask the govern-

ment to repeal Bill 160 or amend the funding formula to recognize the existence and fundamental importance of school-based child care in the education system."

I affix my signature to this petition.

BOARD OF INTERNAL ECONOMY DECISION

Mr Mario Sergio (Yorkview): I have a petition addressed to the government of Ontario.

"Whereas the taxpayers of Ontario are being compelled to pay \$600,000 to settle a case between two private individuals involving a sexual harassment suit between a member of the Conservative government of Mike Harris and a former employee of his; and

"Whereas the legal costs of the member of the government caucus involved in a private legal action brought against him by a former employee in his office will be paid for by Ontario taxpayers as a result of Conservative members' votes; and

"Whereas the Conservative government is underfunding health, education and other vital areas under provincial jurisdiction but has money to pay for the legal obligations of one of its own members;

"We, the undersigned, call upon Premier Harris to have his Conservative Party reimburse the taxpayers of Ontario for these legal costs incurred as a result of the McLean case."

I concur, and I will affix my signature to it.

STEEL INDUSTRY

Mr David Christopherson (Hamilton Centre): My petition reads as follows:

"Whereas the Asian and Russian economic crises have contributed to a flood of steel imports into Canada at record-low prices; and

"Whereas the value of steel imported from Russia increased by 50% in the first half of 1998 over the first half of 1997; imports from Japan increased by 57%; and imports from Korea increased by over 500% in the first eight months of 1998 alone; and

"Whereas prices for almost every primary steel product have dropped by as much as 25% since the beginning of 1998; and

"Whereas the low-price imported steel threatens the viability of every steel producer in Canada," particularly in Hamilton and Sault Ste Marie; "and

"Whereas the potential impact on our community and its families of the growing steel imports crisis is devastating, threatening thousands of jobs directly and indirectly;

"Therefore be it resolved that we, the undersigned, call on the Legislative Assembly of Ontario to urge the Canadian government to apply Canadian trade law quickly and effectively against this blatantly unfair competition, and further, to consider and explore any other extraordinary measure possibly available to Canada under its

various trade agreements to deal with this unacceptable threat to our community's future."

I join other Hamiltonians in signing this petition.

PALLIATIVE CARE

Mr Bob Wood (London South): I have a petition signed by 15 people.

"Whereas most Ontario residents do not have adequate access to effective palliative care in time of need;

"Whereas meeting the needs of Ontarians of all ages for relief of preventable pain and suffering, as well as the provision of emotional and spiritual support, should be a priority to our health care system;

"We, the undersigned, petition the Legislative Assembly of Ontario to resolve that a task force be appointed to develop a palliative care bill of rights that would ensure the best possible treatment, care, protection and support for Ontario citizens and their families in time of need.

"The task force should include palliative care experts in pain management, community palliative care and ethics in order to determine effective safeguards for the right to life and care of individuals who cannot or who can no longer decide issues of medical care for themselves.

"The appointed task force would provide interim reports to the government and the public and continue in existence to review the implementation of its recommendations."

HOTEL DIEU HOSPITAL

Mr James J. Bradley (St Catharines): I have a petition signed by thousands of people in the Niagara region. It's a petition in support of Hotel Dieu Hospital, St Catharines. It reads as follows:

"We, the undersigned, oppose the proposed closure of Niagara's only denominational hospital and the devastating effects that proposal will have on patients and potential patients across the region.

"We ask that the Health Services Restructuring Commission reassess its recommendations for the Niagara region and ensure quality, accessibility and affordability through a continued role for the Hotel Dieu Hospital in St Catharines."

I affix my signature, as I'm in complete agreement with the petition.

EDUCATION FUNDING

Mr Toby Barrett (Norfolk): I present petitions from the Burford District High School survival steering committee, asking the province of Ontario to rethink the school funding formula in light of the unique needs of rural schools.

People are very concerned about the closing of Burford high school and other schools and I signed this during the Burford Fair.

"Whereas the people of the community of Burford protest to the government of the province of Ontario and to

the Minister of Education and Training for the manner in which the present school funding formula has been designed and implemented, especially in regard to rural schools;

"Whereas the government has not taken into account that the rural schools are viable units in the community;

"Whereas the needs of rural school districts are not adequately served by the government's policy of allocating funds on a square-footage basis;

"Whereas local schools serve the local community in many ways and return their graduates to the community to help preserve the community;

"Therefore we, the undersigned, respectfully request the government of Ontario to rethink the school funding formula and provide a funding system that covers the unique needs of rural schools."

I support the principles behind this petition.

HEALTH CARE

Mr Mario Sergio (Yorkview): I have a further petition addressed to the Legislature of Ontario.

"Say no to privatization of health care.

"To the Legislative Assembly of Ontario:

"Whereas we are concerned about the quality of health care in Ontario;

"Whereas we do not believe health care should be for sale;

"Whereas the Mike Harris government is taking steps to allow profit-driven companies to provide health care services in Ontario;

"Whereas we won't stand for profits over people;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not privatize our health care services."

I concur and I will affix my signature to it.

SCHOOL CLOSURES

Mr Ted Arnott (Wellington): I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"We, the undersigned, strongly oppose the closure of both Kenilworth public and Sacred Heart Catholic schools."

I have affixed my signature as well to this petition and I'm in full agreement with its contents.

GASOLINE PRICES

Mr James J. Bradley (St Catharines): "Whereas since the Mike Harris government took office consumers across Ontario have been gouged by the large oil companies, who have implemented unfair and dramatic increases in the price of gasoline; and

"Whereas this increase in the price of gasoline has outpaced the rate of inflation by a rate that is totally unacceptable to all consumers in this province because it

is unfair and directly affects their ability to purchase other consumer goods; and

"Whereas Premier Mike Harris and ministers within the cabinet of his government while in opposition expressed grave concern for gas price gouging and asked the government of the day to take action; and

"Whereas the Mike Harris government could take action under Ontario law and pass predatory gas pricing legislation which would protect consumers, but instead seems intent on looking after the interests of the big oil companies;

"We, the undersigned, petition Premier Harris and the government of Ontario to eliminate gas price fixing and prevent the oil companies from gouging the public on an essential and vital product."

I affix my signature, as I'm in complete agreement with this petition.

BEAR HUNTING

Mr Joseph N. Tascona (Simcoe Centre): I have a petition to the Legislature of Ontario.

"Whereas bears are hunted in the spring after they have come out of hibernation; and

"Whereas about 30% of the bears killed in the spring are female, some with cubs; and

"Whereas over 70% of the orphaned cubs do not survive the first year; and

"Whereas 95.3% of the bears killed by non-resident hunters and 54% killed by resident hunters are killed over bait; and

"Whereas Ontario still allows the limited use of dogs in bear hunting; and

"Whereas bears are the only large mammals hunted in the spring; and

"Whereas bears are the only mammals that are hunted over bait; and

"Whereas there are only six states in the United States which still allow a spring hunt;

"We, the undersigned, petition the Parliament of Ontario to amend the Game and Fish Act to prohibit the hunting of bears in the spring and to prohibit the use of baiting and dogs in all bear hunting activities."

I have hundreds of signatures and I support the petition and affix my signature.

1540

ORDERS OF THE DAY

CHILD AND FAMILY SERVICES AMENDMENT ACT (CHILD WELFARE REFORM), 1998 LOI DE 1998 MODIFIANT LA LOI SUR LES SERVICES À L'ENFANCE ET À LA FAMILLE (RÉFORME DU BIEN-ÊTRE DE L'ENFANCE)

Resuming the adjourned debate on the motion for second reading of Bill 73, An Act to amend the Child and Family Services Act in order to better promote the best interests, protection and well being of children / Projet de loi 73, Loi modifiant la Loi sur les services à l'enfance et à la famille afin de mieux promouvoir l'intérêt véritable de l'enfant, sa protection et son bien-être.

Mr John Gerretsen (Kingston and The Islands): In the few minutes that I have left, having last talked about the bill I believe about two weeks ago, let me just remind the people of Ontario what this bill is all about.

I suppose the major change in the existing Child and Family Services Act legislation will be the determination of what's in the best interest of the child and that that should be the paramount consideration when a children's aid society gets involved in a particular situation.

As the minister agreed with me the last time, the parameters under which children would be taken into protection by the children's aid society are going to change quite dramatically in the sense that there hasn't been an effective change to this act in something like 20 years.

You may recall, Madam Speaker, that one of the concerns we had was that the government initially didn't want to have any hearings on this bill. Let me just say that we support this bill and we think there are some very positive moves in this bill to recognize, particularly when there are younger children involved but indeed children of any age, that when the children's aid society gets involved, the main determination should be what is truly in the best interests of the child, to determine whether or not wardship should be of a crown wardship nature or of a temporary nature, whether there should be supervision, or whether or not the child should be taken into care at all.

Since that time, I understand the government has now agreed that there will be some hearings during the intercession. I think it's important to hear from the people out in the field about this particular issue.

I was involved with the children's aid society many years ago in my professional capacity as a lawyer when it first became a practice to have children represented in court by a separate lawyer. This happened probably about 20 years ago in this province. That was really sort of the last major change that happened.

You may recall that last time, the minister agreed with me that this was a major change, and we couldn't understand why she at that point in time didn't want any public hearings to take place with respect to this bill. I'm pleased to report to the people of Ontario — undoubtedly others will as well — that some hearings will take place now in January and February, and hopefully those individuals who have an interest in this subject will be given an opportunity to express their views.

When it comes to children, we should all be concerned that really what's in their best interests should be our main concern in this Legislature. That's why I'm still very much concerned, as undoubtedly I know other members are as well, particularly at this time of year, that we in Ontario still have so many children who are living in poverty. You may recall that there was a recent report issued. It was prominently reported in a number of the newspapers in this province, and here in Toronto as well, that the number of children who are living in poverty is still rising in this country and in this province. Some of the statistics are indeed staggering when you consider the fact that here in Toronto, one child in three is poor, and that the United Way reports that 41% of the city's food bank users are children.

I think sometimes there's a tendency for people who want to deal with issues of social welfare assistance etc to only look at the adults who are involved in the social welfare system. What we tend to forget in situations like that is that probably over 50% of the people who are relying on social welfare assistance in this province are children, and that no matter what kind of measures are taken, from cutting their welfare by 22%, which this government did as sort of the first action that it took when it took office back in 1995 — the people who are really being hurt by it are not only the welfare recipients, the adults, but the children.

The other interesting statistic, and a rather sad statistic, is that 31% of all boys in the province and 21% of all girls have suffered some sort of physical abuse. Presumably those are the kinds of cases that the children's aid society would get involved with. I'm sure they don't in every case, because quite often the abuse isn't known to authorities other than to the immediate family members etc. But it is really something staggering when you think about it, that three out of every 10 young boys and two out of every 10 young girls have suffered some form of physical abuse.

When we talk about sexual abuse, it's also very disturbing to read that 12% of the girls who are of a young age, under 16 — 12%, one in eight — have had some form of sexual abuse, and a much smaller percentage of boys in Ontario.

What all that really points to is that it is absolutely incumbent upon us that the children's aid societies of this province are given the best possible tools to do their work. We all know that the people who work for them, particularly those who are working in the protection areas, are extremely hard-working and dedicated individuals. They're overworked. The social workers I've talked to in my own community are overworked. The young people

who are entering the profession are immediately given caseloads of 20, 30, 40 young people to look after, and the families as well, to be involved with them, to try to assist them in some fashion.

Whatever kind of help that we can give as a government to the children's aid societies to make sure they carry out the work for which these societies have been formulated, which is basically to protect children, the more assistance that we as a society can give them, the better it is.

That's why it was so ironic that last year, you may recall, initially the government withdrew some \$17 million from the children's aid societies, which caused a number of jobs to disappear, thereby increasing the caseloads that other workers were handling. That has changed to some extent. Some money has come back into the system. There's an argument as to how much it is and how many people are really being employed as a result of that, but it is a step in the right direction. But we still have a long way to go.

If there's any legacy that this government has left so far during the three and a half years of its mandate, it is that children certainly are not their first priority. I can tell you that children are the first priority of the Ontario Liberal Party. The first policy document that we initiated, as a matter of fact, was the Children First policy that Dalton McGuinty and Sandra Pupatello worked on for so long.

The Acting Speaker (Mrs Marion Boyd): Questions and comments?

Mr Jack Carroll (Chatham-Kent): I appreciate the opportunity to make a few comments on the end of the speech by the member for Kingston and The Islands. I want to set the record straight. Children are an absolutely top priority of the Conservative government in the province of Ontario, and it's very unfair of the member opposite to insinuate otherwise.

I think we should be careful when we talk about the issue of child abuse and child protection, and if we talk about the issue of child poverty at the same point in time that we don't make too close a connection there. I think it's very evident that in the province there are many parents who are not living in poverty who are not treating their children the way they should, and there are many parents who are living in poverty who are doing an exceptional job of raising their children. I would hate to see us make too tight a connection there, and I sense the member for Kingston and The Islands was making that connection that child abuse and child poverty are somehow part of the same issue. I don't think that's true, and we should make sure we don't make that connection. I'm glad to see you acknowledged the additional funding for children's aid services, because in fact we have announced that.

I think one thing we should acknowledge is that the primary responsibility to take care of the children in our world, our most precious asset, lies in the hands of parents. Government in its role and those who work with disadvantaged families or with people in trouble should be concentrating their efforts on helping parents to be better

parents. Separating children from their parents is not the right answer. We should concentrate our resources, through education, in helping parents to be better parents so they can discharge their primary responsibility of raising their children in Ontario.

1550

Mr James J. Bradley (St Catharines): I thought the member captured very well the essence of the bill and the debate on this bill. What we were concerned about, of course, is that here is a very significant bill I think all of us want to see implemented. The government dragged its feet for so long dealing with any committee hearings on it, because if you have a bill with these kinds of ramifications you want committee hearings. I would have to be persuaded that there would be some significant changes in those committee hearings, but it's always better when you have them.

When you bring the bill in and then don't deal with it until the very end, the problem is that the bill probably could have passed by the Christmas recess if the bill had been brought forward earlier and there had been some hearings earlier. I don't know whether the hearings would have made a difference in terms of what the government finally had in the bill. Often they do. Often there are some significant changes people don't spot easily.

I was disappointed at how it took time, because then of course the government goes through the same old tactic at the end of a session. It tells all the organizations, "Phone the opposition," as though somehow the opposition controls this Legislature.

You would know, Madam Speaker, that under the changes imposed on this House by Mike Harris — that is, procedural rule changes imposed by Premier Mike Harris — the government essentially controls the agenda. It calls what it wants, when it wants it, it dictates what there will be in terms of committee hearings, it determines the scheduling and it determines what bills are going to be brought forward and at what time.

Now the government can even introduce bills and have them fully debated in the last two weeks of the session when often they're trying to clear up other legislation. I think the member was appropriately commenting when he commented on his initial concern about that.

I hope this bill comes into effect. We're going to have some hearings in January. If there are any changes to be made I hope the House does convene and sit again, and we are able to implement those changes.

Ms Marilyn Churley (Riverdale): I appreciated the comments from the member for Kingston and The Islands. I am going to be a little bit more generous in my comments towards the government at least partially in terms of what happened with the hearings.

I think that the minister quite genuinely felt that these changes were badly needed, and there's widespread support for them, and felt that she might have trouble getting it on her own government's agenda and personally felt how important it was to get this through, and genuinely felt that, given the widespread support, there may not need to be committee hearings.

What I objected to when our critic, the member for Beaches-Woodbine, made it very clear that we wanted hearings was that the minister and other members from the government tried to blame the opposition for trying to hold up the bill because we wanted hearings.

I know that Frances Lankin, the member for Beaches-Woodbine, has a genuine concern and I think that's been adequately expressed to the government, that when you make such major changes, which we all support, it's really important — after all, there haven't been changes in about 20 years — that people have an opportunity to come and present their views and also that legislators can have a good look at what's in the bill and make any amendments that may be necessary.

We certainly never had any intentions of stopping the bill. I think we all would have been very upset had we not been able to get the commitment that we could have the hearings and have the bill go forward as well. I believe it's a win-win situation for all of us, that we now have an opportunity to get out there and air these concerns.

There are a few things left out of the bill, for instance, that we have some concerns about. But certainly, the hearings are not to beat up on the government, in my view, but to make sure that the changes we're making are adequate.

Mrs Lillian Ross (Hamilton West): I just want to comment on the member for Kingston and The Islands and his comments. This is an important bill. It is a bill that all of us on the government side strongly support.

With respect to the member for Riverdale, when she said that the minister had to push to get this to come forward, I don't think that's the case; as a matter of fact, I think many of us in caucus believe very strongly in the needs of our children, particularly those most vulnerable in our society.

This bill is a strong step forward. It's a step-by-step strategy that looks at children's needs, assesses their needs, tries to get children out of those environments where they have been abused and violated and into safer places. That's very important and it's crucial in this age we live in.

Also, the bill provides training for those social worker agencies that provide those services to our children, and that's very important. That's a very important component of this bill and I am pleased to see it here.

I'm not here to blame anybody for not bringing it forward earlier. As the member for Riverdale said, it has been over 20 years and there should have been changes before this. I think it's a good, positive step forward. At committee hearings I have yet to sit on a bill where we haven't brought forward changes that benefit the bill and make it better in the end, so I'm looking forward to the committee hearings and hopefully improving the bill and making it the best it can be.

The Acting Speaker: Response?

Mr Gerretsen: I thank all the speakers for their intervention. It certainly wasn't my suggestion, or it wasn't my idea to suggest for a moment that all people who are poor are abusing their children, but I do think

there is a connection, that there are situations where abuse has resulted, not totally but certainly from the economic circumstances people live in. There have been studies that clearly show that is more likely in those situations, but sure, abuse can happen whether a child is with a rich family or with a poor family.

I take some exception with respect to the other comment that was made by the member from Chatham. The general perception out there, and having sat here for the last three years I can only be left with one conclusion, is that with an awful lot of the activity this government has been involved in, whether they intended it or not — sure, nobody is going to admit, "Our policies are going to hurt children" — the effects of their policies have been that children, particularly vulnerable children, and indeed vulnerable people, have been hurt by the actions of this government, whether we're talking about the 20% cut in the social assistance rates, whether we're talking about the user fees that are rampant now within our municipalities, whether we're talking about the user fees for seniors with respect to the medical expenses they have and the medicine they need, and you can just go on and on.

Unfortunately, the net effect in this province has been that the gap between the haves and the have-nots has widened, and the people who are not as economically well off in this province, which includes, particularly with respect to those people who are on social assistance —

The Acting Speaker: Thank you. Further debate?

Ms Churley: Let me start by saying that I will be splitting the hour leadoff time today with the member for Hamilton Centre and the member for Dovercourt.

I also would like to say that our critic for children's issues, Frances Lankin, the member for Beaches-Woodbine, would like to be here today. She is, as you know, Madam Speaker, spending time with a very good of hers and a good friend to many of us in the House who is quite ill at the moment. We appreciate the opportunity to speak today in her place.

Madam Speaker, I also want to thank you for taking the chair for me so I have this opportunity to speak to the bill, and to thank you in general. It has been a little rough on the Speakers, sitting until 9:30 and then until midnight these past couple of weeks. Thank you very much for relieving me from time to time so I can do other things or sleep.

I take pleasure in speaking to this bill today. I haven't had the opportunity as of yet. I want to reiterate how very much in support the members of the NDP caucus are of this bill. We, as expressed by the member for Beaches-Woodbine in other readings, fully want to go ahead and have this bill pass as quickly as possible. We believe there are very important changes in this bill and we're happy to see the government, in my view, act relatively quickly on a report that had recommendations for massive changes.

1600

We know that the coroner's office and the Ontario Association of Children's Aid Societies, the two bodies that conducted the child mortality task force, are relatively pleased with the response from the government. It's an

area where I personally would like to congratulate the government for moving forward on this very important bill.

There are shortcomings in the bill, and I'm hoping that during the committee hearings some of those can be dealt with. It certainly is not my intention, nor I think the intention of any member of our caucus, to use the hearings in any way to beat up on the government and score political points on something that's so fundamentally important to all of us and for the well-being of our children. I would like to think that's true of everybody in this House, and I believe it is.

I want to spend my time today, and people may not be surprised to hear me say this, talking about one of the very important aspects of the bill that's been left out, and that is that the government didn't take this opportunity now, when the Child and Family Services Act is open after such a long time, to make the changes necessary to adoption disclosure. As you know, I have presented a private bill in —

Mr Tony Silipo (Dovercourt): On a point of order, Madam Speaker: I don't want to interrupt my colleague, because she was about to get on to some very important issues with respect to adoption disclosure, but I believe this is an important item. I don't believe we have a quorum in the House.

The Acting Speaker: Clerk, would you check for a quorum, please.

Clerk at the Table (Mr Todd Decker): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The member for Riverdale.

Ms Churley: Many Ontarians, both adoptees and birth parents, have been waiting many, many years for these amendments. You may wonder what this has to do with the bill before us. Of course it comes under the Child and Family Services Act.

The previous government, our NDP government, came this close, through a private member's bill, to having adoption disclosure dealt with. I understand very well from having sat in cabinet in that government how, with such a long list of legislative changes, trying to set priorities within a government is very difficult. There are many demands from all sectors of our society on governments of all stripes and it can be very difficult to get things on the agenda.

I understand that and choices have to be made. I know that when we were in government, trying to fit in adoption disclosure just didn't happen, in my view unfortunately, but we chose to do it through a private member's bill and came this close to getting the final third reading on it. Because of a few people filibustering that night, the clock ran out, and then, as you know, the House prorogued and an election was called, so it never happened.

At that time the adoption community, as you can imagine, was devastated. They were sitting here that night and they were in tears; I was in tears. Many people were

extremely upset because they came that close, after 20, 25 years of working on this issue, to getting the changes made. It didn't happen.

I called the Minister of Community and Social Services's office, I believe over a year ago, to discuss this issue. What she said to me at the time was, and I'm paraphrasing her: "I generally support adoption reform. The time has come to do it. I'm not ready to move now. We will be making changes to the Child and Family Services Act, and what we hope to do and want to do is make those changes within that act once it's opened up." It's my understanding, from what I've been told, that this is the same thing that members from the adoption community, like the Adoption Council of Ontario, Parent Finders and other organizations, were told. There were some meetings held and some telephone conversations, and that was the understanding.

I believe that the minister said that in good faith, and I'm not quite sure what happened along the way, except that she assured us in the House that the priority of the government was to deal with child protection. Perhaps it was not to muddy the waters, I suppose, in a way, to keep the opening up of the act right now very clearly on the subject of protecting our children, which I can quite understand. But I also feel that this is an opportunity now, with the act being open and going out to committee, to address this vital part of the Child and Family Services Act. I call on the minister and the government members to think about that and perhaps give us this opportunity to include that discussion in the committee hearings under the act as it stands now. That would be a way of dealing with these issues here and now.

I again want to thank, I believe it was 57 members who were in the House on the day of my private member's bill last Thursday, many government members who supported me, plus most of the Liberal Party and all of my New Democratic Party. There were only three people in the whole House who objected, and even those people gave very sensitive speeches about the issue. There was absolutely no animosity or really big concerns about the bill.

I think there is a general understanding that we're way past the time when these changes need to be made. The fear now is in the understanding that the House is going to prorogue tomorrow. For those of you who may be watching this on television who don't know what that means, it means that besides journalists throwing little pieces of paper down on us tonight at midnight, normally all the bills on the order paper die. So in theory my bill, which has now received second reading, would disappear. I want to thank the government House leader and the Liberal House leader and of course my own House leader for making an agreement that my bill, Bill 88, the adoption disclosure bill, will not die. There will be a "notwithstanding" motion that certain bills will be carried over. I want to say how very much I appreciate that. It means an awful lot to those of us from the adoption community that it's not going to die.

1610

However, there is still the fear that there may be an election call. We don't know. I don't know how many government members know at this time — tell me what you know — but we have concerns about that. If that were to happen, we would be in the very terrible position we were in the last time this private member's bill came so close to being proclaimed. That would be a real shame and a real heartache for those in the adoption community.

I certainly explained to them when I accidentally got a spot that came up all of a sudden, through a complicated series of events, that I was taking a bit of a chance bringing it forward so late in the session. But it was agreed that there is such a consensus now that the bill that Tony Martin, my colleague from Sault Ste Marie, which my colleague from Dovercourt and I as ministers in the Bob Rae government worked on very hard — we went out to committee. The bill I presented, as you know, is the same bill, as amended by the committee hearings, which is why I presented that very bill, because we worked very hard, between the Minister of Consumer and Commercial Relations, the registrar general, which was my ministry, and the Minister of Community and Social Services, with the staff, to work out the details.

There is a consensus around this bill; there's still a consensus around the bill. My colleague Alex Cullen, from Ottawa West, presented first reading of another bill which went further than mine. There are many who would prefer that bill, but I know there are certain elements of that bill which are not acceptable to some people. My bill is. That's not to say everybody in Ontario supports it. With every bill, no matter what the subject, there are some people, sometimes for personal reasons, sometimes for other reasons, who will not support it. But we know that the majority of the people in this Legislature and the majority of people — not just people involved in the adoption community but the majority of people — support changing adoption disclosure laws now.

I want to read a letter that is very moving and touching. It's a letter from a mother and father, adoptive parents of two young men, who adopted them as very young children. Those of you who were here heard my perspective as a birth mother who found my son after he had been adopted at birth many years ago, but have not necessarily heard a lot, at least in these chambers, from adoptive parents. Mr Cullen from Ottawa West is an adoptive father. I want to read you a letter that really moved me. It's from the adoptive parents' perspective. It's a letter from Guy and Jean Ryan. It says:

"Dear Marilyn:

"After reading the article in today's Toronto Star I felt compelled to write a response.

"We have two adopted sons who are, at this time, 29 and 24 years of age, and have been nurtured and loved by our entire family all through their lives.

"Since childhood our youngest son has been asking about his birth mother. We gave him as much information as we were aware of, and always assured him that his

birth parents loved him and did what they felt was best at the time and gave him up for adoption.

"We have always been so thankful to these selfless and caring people who wanted what was best for him. Our hearts have always gone out to those who had to make such a serious decision that would change all of their lives forever. Thanks to people like these we were blessed with three children, two of whom are adopted. Our family would have been so empty without each of them.

"Due to the fact that our youngest son was asking about his roots, we approached him and asked if he would like help searching, and we started many years ago. This has been as difficult for us as it has been for you, Marilyn. There have been many closed documents and locked doors that we tried to break down to help our son, only to be disappointed again and again. He is nearer now but has of yet not been reunited. We were overjoyed, when through much red tape and some public documents we found the missing link to reunite our older son and his birth mother a year ago. Over this time he has had a reunion and many questions have been answered. I have also met his birth mother and had a good visit. Our son communicates with his birth mother on a regular basis. Hopefully he will someday get to meet other members of his birth family, whom he has not yet had the opportunity of meeting, as his birth mother has not told them about this reunion, as most of them do not even know he was born.

"Thanks to the Parent Finders group we found ways to search public information sites to help our cause.

"We pray that your bill will pass so that others in our situations will not have to go through the agony that we have.

"We believe, if our children are loved and cared for, we do not have to be afraid of their searching, for these reunions will only help them become more settled and more satisfied human beings. Our love for our son and his love for us has not diminished since this reunion but only grown as his mind and heart are at peace. We pray that he will also have an opportunity at some time to meet his birth father as well.

"Thank you and that this letter will be used to show the adoptive parents' side of this heart-wrenching issue."

That letter really moved me. I can tell you that I've heard this story time and time again from so many adoptive parents.

I can say from my own experience, for what it's worth, that I have become friends with the adoptive parents of my wonderful son. They're fantastic people. When I first contacted them, after Billy and I had spent some time together, it was a very emotional time for us. I remember what Bill's father, Bram, said to me. We were both very emotional and he said: "We consider you a part of the family. If it weren't for you, we wouldn't have had our wonderful son." Of course I was quite moved by that, as anybody would be. They are absolutely wonderful people.

When my son first got the very careful letter I wrote to him, he showed it to his parents — he knew as a young child that he was adopted — and they helped him and have been very supportive and caring.

We also tracked down his birth father, which was quite an experience for me after all those years, I can tell you. But that turned out very well as well. Both sets of parents ended up at his university graduation recently, which was a very interesting experience.

Let me say publicly here how grateful I am to Bram and Helen for their response to this situation. I would say that my view is, as in the letter I just read, this experience is bringing the family closer together.

I know there are some people who don't agree. I've received some mail from a very few adoptive parents who don't support this. I think that is out of genuine concern that they might lose the love of their children. All the research and all the reading — and I can assure you that over the years I have done a lot of that on adoption — shows that it's a very rare situation where things go bad between the adoptive parents and the adopted adult once the links are made.

In many cases, the relationship doesn't work out for whatever reason, which can be disappointing but also in some ways brings some kind of closure. People know who they look like, what their roots are. Even that can be beneficial to young adults who are struggling to complete their identity.

I'm here today to speak directly about this because it does relate to the bill before us today, to ask the members for their support once again in making sure that this time this bill is actually passed one way or the other. We have some opportunities. One way, for sure, would be to allow this discussion to happen as well and be incorporated as an amendment under this bill.

If the government feels that would somehow get in the way, would be detrimental to getting the very important child protection parts of the bill passed, I certainly would not want that to happen. I personally do not believe it would because, as I said, this bill has been aired so much already, this particular bill a few years ago, but this whole adoption disclosure for 20 or 25 years. It was passed in England in the 1970s. We have it in BC, in the Northwest Territories and other countries across the world. It works. My bill is actually a small portion of adoption disclosure and we know that it works.

In fact the leaders in the adoption community didn't want this to go to committee. I want to move it to third reading but I understand that some members want to discuss it, even those who support it, and that's fine. I understand that. But certainly I don't believe there is a need for a great deal of discussion at this time about this bill.

I ask government members and all of my colleagues — there are many, many in this chamber who support this — to help me, to work with me and the House leaders and the minister, who still says she's supportive of moving forward on adoption disclosure reform, to make sure, whichever way is best, that we do it through this committee or through another committee hearing in the new year, and absolutely promise not to call an election until we come back and deal with this bill. I can assure you, you will be heroes to thousands and thousands of people

across Ontario who are affected by the bad laws that exist now.

With that, I'm going to turn the floor over to my colleague from Dovercourt. I thank you very much for the opportunity to speak to this bill today.

1620

Mr Silipo: I'm pleased to have the chance to speak on second reading of the Child and Family Services Amendment Act, as well as to follow my colleague the member for Riverdale.

She spent a good chunk of her time talking about the approach she has brought and her own personal situation and how that has influenced her wishes to see changes made to the adoption provisions as they relate to people in our care, or people who are not in the care of the children's aid society in that case, in terms of opening up the birth registration details of people who have been adopted in the past.

I want to echo her strong wishes in urging that issue be addressed as a separate issue through her private member's bill, or the government coming forward with another bill of its own, or as she has indicated, by the government embracing that as part of the changes. Many of those changes would have to be made to the Child and Family Services Act. As part of the discussion that will no doubt take place, if and when this bill gets out to committee over the recess, I think that is an issue whose time has come to be embraced, to be discussed, to be dealt with and for those amendments to be made.

I cannot emphasize enough how much that needs to be done for the group of individuals the member for Riverdale has talked about. As she said, we both had the privilege to work on similar legislation when we were in government, but unfortunately were not able to see passed by this House, relating to people who have been adopted in the past and opening up the ability for them to be able to get access to their birth records.

I also want to touch on another aspect of adoption as it relates to people who are yet to be placed for adoption. I know that is an issue that is not dealt with in the bill that's in front of us. I want to speak a little bit about that and then talk about the other pieces the bill does cover, which are a whole array of changes dealing with the question of child protection.

On the issue of adoption, let me say that I believe that equally what has to be done is that we have to catch up with other jurisdictions and, more importantly, make the issue of the best interests of the child truly mean something when it comes to dealing with the issue of adoption, and the placing for adoption of children who are crown wards. The law as it stands today in Ontario actually prevents — Speaker, you know this, as a former Minister of Community and Social Services, as I do — a judge dealing with an issue of what is in the best interests of the child in having to weigh the competing interests of placing the child for adoption, or on the other hand not placing the child for adoption, if that judge determines that it's in the best interests of that child to be placed for adoption, and yet for some level of contact to be main-

tained between the child and his or her natural birth parents. The law as it stands today in Ontario does not allow a judge to do that, even when and even if a judge determines that is what would be in the best interests of the child.

We all know, whether we've been in this Legislature for a couple of years or longer, that that issue of the best interests of the child has been and should continue to be, and indeed in this bill continues to be, the underlying test for everything that we do when it comes to dealing with children who for one reason or another have to be taken under the care of children's aid societies.

I wanted to start my comments by dealing with that very real issue of where an individual, not outside the system but a judge going through the formal processes, going through the hearings, weighing all the evidence, finds that the best interests of the child would be best served both by placing the child for adoption and continuing access to the birth parents. But that is not allowed.

There have been cases dealing with that issue. I can tell you when I was in private practice, I was involved in one such case. I learned about many others in the course of that case. That particular case I was involved in went right through to the Court of Appeal of Ontario, so that was reaffirmed as the law of the land, although in the lower levels, in that particular instance and in others, judges using the Charter of Rights did deem that the best interests of the child were best served both by placing the child for adoption and by still maintaining some form of contact with the birth parents. Yet as the case law went on and was eventually determined at the appeal court level, the interpretation of the current law of Ontario was that to place children for adoption, you have to sever the contact with the birth parents.

I found it interesting that in the expert panel recommendations which formed the backdrop for the bill in front of us now, their recommendation, which the government today has chosen not to follow, on that particular issue was to allow for the possibility of adoption with continued access to the birth parents.

As long as we make the determining factor the best interests of the child, as determined by a judge, hearing all the evidence and dealing with all the information in front of him or her, I want to say to the government that this is an issue they should embrace. I look forward to discussion of that issue when this bill goes forward because, to me, we will not have dealt properly with the right balance that has to be struck in dealing with the question of the best interests of the child and what that means, as we try collectively and as a society to care as best we can for children who for one reason or another cannot be taken care of by their own birth parents.

We cannot have fully done justice to that concept, the serving of the best interests of children, if we are not also able to leave that flexibility in the hands of judges who are making those decisions, expert judges dealing with these issues on an everyday basis; if we do not allow them to make that determination, as opposed to precluding those

decisions being made by simply allowing the law of the land as it is today in Ontario to stand.

I hope that is an issue the committee deals with, as well as the other aspect of adoption disclosure, which my colleague from Riverdale has addressed and which I will not repeat.

I wanted to speak a little about the other issues that are addressed in this bill and some of the concerns that deal more directly with the issue of children who are in need of protection and who therefore come under the responsibility of children's aid societies. As my colleague has said, we welcome this legislation.

If our critic for children's services, the member for Beaches-Woodbine, was able to be here — she's not able to be with us today because of some personal circumstances — I know she would also be speaking very clearly in supporting the intent and the direction, as she has on many occasions in asking questions to the Minister of Community and Social Services indicated our support generally for the direction this legislation is taking and our strong wish that this legislation, despite the fact that the House will likely be proroguing tonight, will go out to committee. That would allow people to come forward, would allow committee members and members of this House to look at it in greater detail, to hear from children's aid societies, from other children's services organizations and from the general public around these very important issues.

This is the first time in some years that we are doing this kind of serious review of the Child and Family Services Act. As a former Minister of Community and Social Services, I can recall many instances of difficult days in that portfolio, but probably the most difficult was going through a period of time when there had been the death of a young crown ward. I don't care what politics anyone practises, and even understanding that as the minister you're not directly responsible for everything that happens out there in the field and in every children's aid society and every action that every worker does, I can tell you that the turmoil you go through when you see a situation like that — there are always questions about: What if something else was done? Could something have been done to prevent this particular death?

1630

Those are very difficult situations, and I don't presume that we can ever have a piece of legislation that is perfect and that can foresee and can try to prevent every conceivable situation. So I welcome the spirit of collaboration that I think we are seeing on this particular piece of legislation in the sense that there is a willingness, despite the fact that first of all we go into this with different perspectives from the three parties and in fact may even come out of it with different answers to what these problems are. But there seems to be a willingness to take a look at the very serious issues that are raised through this bill and that have resulted in this bill coming forward.

What are those? There are a number of reviews that have been made over the last couple of years, initiated both by the minister, to give her credit, and by the chil-

dren's aid societies themselves, which have resulted in a number of recommendations coming forward, probably key among them being the expert panel which has looked at the Child and Family Services Act, a panel chaired by Judge Mary Jane Hatton. Many of the recommendations of that panel are reflected in this legislation. We are thankful for that and we believe those are appropriate.

For example, Bill 73 makes it clear that "The paramount purpose" of the Child and Family Services Act "is to promote the best interests, protection and well-being of children," and that everything else really is secondary to that. It strengthens that notion that has been the foundation for the law of the province for the last number of years.

It expands the grounds for finding a child in need of protection by adding the words "neglect" and "pattern of neglect" to several grounds, and we believe that's a good move. It also lowers the threshold for protection by replacing the words "substantial risk" with the words "risk that the child is likely to be harmed." As well, we note that the threshold for emotional harm to a child is lowered from severe to serious.

All in all, those changes and other changes mean we would be giving greater strength to the notion of the best interests of the child and providing a situation in which we will strengthen that concept and therefore the ability of children's aid societies to deal more expeditiously with those concerns.

Bill 73 also makes it easier for children's aid society workers to get information that's relevant to an investigation on any of the grounds for protection, because the current law just covers abuse. So this expands again the ability of children's aid societies to deal with those concerns in a broader way. I think those are also points that move in the right direction.

I have some concerns about a couple of areas. I've mentioned the one around adoption. Another one is the issue of the length of time that a child under age six can be in a society's care before being returned home or made a crown ward, that being reduced from 24 months to 12 months.

Again, I think I understand that the intention of the government here is to try to say, "Let's get decisions made." On the other hand, the expert panel, having looked at this, suggested that a variety of timelines might be best appropriate dealing with different categories of situations that we might be dealing with. That's something I hope the committee will be able to take a look at before a final decision is made on what the best timeline is. Certainly I would say that the concept of moving on with a decision is the direction we should go, but at the same time there has to be enough flexibility in the system to allow for timelines to meet the particular circumstance and not simply for decisions to have to be made within a straitjacket and in a predetermined time that may or may not work in the particular circumstance.

I particularly welcome what I gather is a strengthening in section 6 of the bill to give the Ministry of Community and Social Services the authority to issue directives to

societies, including those respecting the provision of services, and also making it even clearer than the present legislation does that the minister may take over the operation of a society that fails to follow those directives. I can recall times when there were problems with certain societies perhaps not doing everything they could have done or should have done to deal with particular situations, and I think there has to be a strengthening of that ability by the minister and the ministry, as the ultimate folks that are accountable to the public through this Legislature, to step in where that's necessary and to do that. I think experience will show that those are not situations that happen in the normal course of events. Those tend to be very much the exceptions, but there has to be the ability when those exceptional cases happen for the minister of the day to carry on his or her responsibilities to the people of Ontario in a straightforward and quick fashion to meet the circumstances that are there.

I want to finish my comments by just making two other points. The first is that none of this improvement that we are talking about, as good as it is, will make much of an improvement unless the government of the day also recognizes that part of the problem we have out there has been not just created but indeed accentuated by the underfunding that exists out there.

The cuts they have made to children's aid societies — I'm sure that members of the government will stand up and say that hasn't been the case, but if you look at the statistics I think you will see that in fact there is less money out there for children's aid societies. Certainly when you look at it on a per case basis, caseloads have gone up, workers have been asked to do more, and the number of people who are out there are fewer. In the last three years, 455 permanent positions have been lost to children's aid societies. So we cannot continue to expect our children's aid societies and other children's agencies to do, in effect, more with less. At the end of the day, those two concepts don't mesh when it comes to crucial services such as the protection of our most vulnerable children.

I want to say to the government again that we will work with them to improve the legislation. We will work with them in the most collaborative of fashions to ensure that the laws of the land in Ontario are changed so there is the strongest and best protection for our children. At the same time, they have to recognize that for that job to be done effectively out there in the field, it requires adequate funding. That adequate funding is not there. It has been deteriorating. It's going to continue to deteriorate unless the government of Mike Harris does an about-face and recognizes that that is what's going on out there.

In concluding my remarks, I just want to give one very clear example not in the children's aid area but in another important area of children's services, the child and family services area — that is, in the children's mental health area — of what is happening as a result of the underfunding that's out there.

There is an agency in my constituency located in the Dufferin and St Clair area, Earlsclourt Child and Family

Services, renowned across the province as one of the leading-edge organizations in the area of children's mental health services. They have pioneered a variety of ways of dealing with children who have behavioural problems, children who are not able to be assisted completely in the school setting, and they provide that additional support.

We have seen a situation at that centre where for the last nine weeks now there has been a strike, a legal strike, and the workers therefore are obviously able to be on strike in a legal position. But that has led to services not being able to be provided to the 900 or so children who are served through that centre. I continue to worry as each day goes on about what is happening to those children. I know the workers and the management, despite their differences, agree at least on that point, that the children are certainly not getting the services they need. I just want to say on the record that I hope that tomorrow, when the mediator brings the parties back together, they will be able to find a way out of the impasse.

As I understand it, the requests that the bargaining agent has put forward on behalf of the workers are not particularly unreasonable. It is not for me to say where the settlement is, but it is for me to say, as the representative for that area, that I want to see the workers back inside the building where they belong and where they need to be to continue the services.

I want to also impress upon the government and upon the minister particularly that if this thing is not resolved, she will have a responsibility to figure out a way to get the parties together. At the basis of the problems that the management side is having is the issue of funding. There are other concerns out there in this particular issue. There are other things that are out there, and I don't want to get into them in great detail here and distract from the point we are discussing most directly today.

But I do want to say that the minister will have to take account of this particular situation and others that may exist similar to it across the province if after nine weeks of strike we cannot get a resolution to this. I hope that tomorrow the mediator is able to do that. I hope on the management side there is an ability to show some flexibility and at least figure out a way to meet some of the not particularly onerous demands that I see the workers making. But above and beyond all, I hope we are able to see a situation in which this impasse is resolved, because if not, this is also one issue that's going to land on the lap of the Minister of Community and Social Services. I look forward to that issue being resolved.

1640

I look forward to the debate on this particular bill continuing because it is time we had this whole-scale review of the Child and Family Services Act. I know we will continue from our caucus, through our many people who are interested and particularly through our children's services critic, Ms Frances Lankin, to play as constructive a role as we can in pushing the government, but also in supporting the government where we believe they're moving in the right direction.

The Deputy Speaker (Mr Bert Johnson): Further debate?

Mr David Christopherson (Hamilton Centre): I appreciate the opportunity to join in this debate. I would point out that the government often says that all the opposition ever does is oppose and attempt to obstruct and never participates in anything positive, yet in the last few days we've certainly put the lie to the myth. The fact is that where you introduce good legislation that is based on the public good, that corrects wrongs that are in our society, that promotes justice, promotes equity, promotes fairness, then you will get the support of the opposition.

Certainly we saw that the other night with Ted Arnott's bill when we were dealing with volunteer firefighters. In fact, that was cleaning up a mess you made when you rammed through Bill 99. But again, given the importance of ensuring that our volunteer firefighters were protected, as they were before you hurt them in Bill 99, we made sure that got speedy passage, extremely speedy passage.

There have been other incidents and other cases, with the red lights, for instance, again an example where we had been pushing you to do the right thing for the longest time, and when you finally did that, you got full co-operation from us.

We have that here again today with Bill 73, the Child and Family Services Amendment Act. By and large, as far as it goes, this is a good bill and we intend to support it. I am pleased, on behalf of the people I represent here in this place, to offer my support and advise you that my vote will there to help put this in place.

It's time — certainly it's well beyond time — that we acted on the work that was done by the Ontario Child Mortality Task Force. Having been a former Solicitor General, I know first-hand the work of our coroner's office. It's a world-renowned coroner's office. We are modelled by other states and societies around the world. In fact we received all kinds of requests — and I have no doubt it continues under the current Solicitor General — for information, for speakers, for case studies in terms of what we'd done.

I can remember talking to American counterparts of mine who would advise that they had no such ability. Everything there, as you know, is sue, sue, sue. They're always in the courts suing one another for everything. They envy the fact that we have a coroner's office and we have the ability to perform the kind of inquiries they do and make the recommendations they do based on the public good. They aren't meant to be hearings to find guilt; they are meant to be hearings to find cause and, more importantly, prevention.

Quite frankly, anything that involves our chief coroner and his office right off the bat gets a lot of respect from me because I know the work they do and I know the value that Ontarians receive from their work.

I think it makes a great deal of sense that Bill 73 will make it easier for children's aid society workers to get the information they need in terms of any investigation in terms of finally the threshold being one of protection. As has been stated here in the House, right now the threshold

is abuse. It changes things incredibly, just that one word, that redefinition, in terms of the scope of the jurisdiction of the children's aid workers and the societies. This is a good thing and is in part why we're supporting it and why I'm supporting it here today.

By expanding the grounds for finding a child in need of protection by adding the words "neglect" and "pattern of neglect" to several grounds, it lowers the threshold for protection by replacing the words "substantial risk" with "risk that the child is likely to be harmed." These are the kinds of corrections we need in this legislation, particularly when we see some of the horror stories that have happened in virtually all the provinces of our country. To do nothing would be borderline criminal. It's good that this is here. It's good that we're dealing with it now.

I think it says a lot that the opposition are prepared to put aside partisan politics, because quite frankly at the end of the day opposition parties get squat credit for supporting government bills. The government gets all the credit. That's just the way it goes. I'm not whining about it; I'm just stating a fact. That's the reality. But again, where the public good is so paramount in an issue, we're quite prepared to give up, if you will, that turf to the government and allow the government to take the credit for having done something that is right. Lord knows, we hold your feet to the fire when it's wrong, and with this government that certainly is the vast majority of the cases. But where we have exceptions like this and you're doing the right thing, we will indeed be there.

That is not to say, however, that we don't have legitimate criticisms to make with regard to actions you have taken that affect children and affect the children's aid society. You trumpet the amount of money you're putting into the children's aid society, forgetting the fact that in the first couple of years of your governing you didn't think it was important at all. In fact, you thought it was so unimportant that it was OK to cut the funding to the children's aid societies. Let's remember where you've been on this. In your mad rush to cut budgets so that you could provide that 30% tax gift to your wealthy friends, going after children's aid societies didn't cause you any pause at all.

Yes, it's good you're putting the money back, but from what I can see of the dollars, you still haven't committed all the dollars that have been cut, certainly not immediately. Let's remember it was only a couple of years ago that you didn't think this work was important enough to leave that funding in place, let alone increase it. You felt it was OK to cut the budgets of the children's aid societies. You did that.

You're the same government that cut 22% of the income of the poorest of the poor, and you knew full well that 50% of the people who are on social assistance are kids. So all of this isn't happening in a vacuum. You've got a lot of ground to make up in my opinion before you can stand up and say that you've been a government that cares about kids — a lot of ground to make up.

Just recently the United Nations was holding out Ontario as a bad example of what wealthy nations are

doing to children in poverty. That's you. You did that. That was the United Nations condemning you for the actions you've taken against children in poverty.

Mr Ted Chudleigh (Halton North): They are condemning you. It was your government.

Mr Christopherson: I don't know why you want to start heckling now. I'm telling you what happened. This is what the United Nations has said about you. The United States said this about your government. You're the government that cut 22% of the income of the poorest of the poor; one of the richest nations in the world and you cut 22% of the income of the poorest of the poor, and half those people are kids. That's a reality. Half those people are kids.

1650

Ms Marilyn Mushinski (Scarborough-Ellesmere): You want to talk about a double standard?

Mr Christopherson: The member talks about a double standard. Exactly, because, boy, the kids of the wealthy are doing very well by you, thank you very much. That 30% tax cut is making their life even more comfortable, kids who are already fortunate enough to be in a family that has more than plenty. You decided you were going to take away from the poorest of the poor, the kids who are in poverty, the kids who go to school hungry, the kids who don't have a decent roof over their heads. You took away from them so you could give to the kids of families who already have.

Make no mistake, when we offer up our support for things that you're doing that help the public good, we have an obligation as loyal opposition to point out your entire track record as it relates to kids. Certainly when we take a look at Bill 160 and what's going on in our school system, you haven't done kids there any favours at all — none whatsoever. There's less money being spent in the school system on a per pupil basis than there was when you came into power. That's the reality. We've got all kinds of turmoil, turmoil that was totally unnecessary.

Remember your minister, Minister Snobelen, who was caught out on video saying he had to create a crisis in order to provide justification for what he was going to do? That's exactly what you did. I'd like to know how you think it helps our kids to be in a system that's in such turmoil; teachers demoralized beyond belief because of your approach to education; and what you did to the education system, they've committed themselves to as professionals. You did that. You created that. You created all that turmoil, all that demoralization, and no matter how much you try to deflect it, the reality is, if there are extracurricular activities that are not being performed in schools, that's as a result of what you did. That's as a direct result of what you did to teachers and the teaching profession in Bill 160.

When those teachers took you on with their political action, you hoped they'd be isolated out there. You hoped people would say, "Well, this can't be good for our kids, so we're going to oppose the teachers." That didn't happen, did it? The parents were out there supporting the teachers who were fighting against you on Bill 160. The

trustees, by and large, were there with the teachers. Parent councils were there, the students were there, entire communities were there behind teachers in taking you on in terms of what you did to education under Bill 160. I know it surprised you, but that's what happened.

If you're doing such a great job for education, why isn't there somebody lined up somewhere offering up the contrary? The only ones who say it's better are you — the only ones. You don't hear that anywhere else. You don't hear it anywhere else from anyone else. It's only you who says it better. The minister stands here day after day, as you always do — nothing is your fault. You've been ruling like monarchs — borderline dictators, but monarchs — believing you have the right to divine rule, yet every time there's a major explosion in our communities, it's not your fault; never your fault. The reality is that virtually everything that's going on in our education system is as a result of what you've done.

When we see increasing caseloads for social workers, I say to you a lot of that is in large part because of what you've done to those who were already in poverty and those who used to be middle class and have now slipped down into poverty. These numbers are coming from somewhere. You've done nothing that changes the agenda you started down that takes care of the very wealthy in this province at the expense of the most vulnerable and kids in poverty. That's the reality of what you've done.

It wasn't that long ago when I was celebrating with the children's aid society in Hamilton-Wentworth the fact that our government had funded a brand new —

Mr John Hastings (Etobicoke-Rexdale): Huh.

Mr Christopherson: I hear one of the backbenchers over there scoffing because anybody who says anything about spending dollar one for anything is obviously and automatically evil.

The fact of the matter is, in my opinion, the \$1 million that we spent to provide a brand new children's aid society building in Hamilton was a good investment for the kids in my community. That was a good investment. The building was not big enough to accommodate the services that needed to be provided, particularly in the area of supervised visits. More and more courts were ordering that that be the condition of access to children and the children's aid societies were asked to be the ones to oversee this, and they didn't even have the physical ability in their building to handle it. We said, "This is an investment in our kids," and I think that was money well spent.

I see the member for Hamilton West here. I don't see any other Hamilton members. I would invite her or anyone else to suggest that wasn't \$1 million that was well invested in our community of Hamilton, because that was there to help our kids. We don't see anything like that any more. What did you do to the children's aid society? You cut their budget. You decided that kids in Hamilton-Wentworth weren't important enough to at least leave the budget alone. You cut those budgets. We've lost staff at a time when our caseload of kids who need the protection of the children's aid society is going up. How do you justify

that? How do you justify standing up now, bragging about money you're investing that only puts back —

Mr Rosario Marchese (Fort York): On a point of order, Speaker: Would you check for a quorum, please.

The Deputy Speaker: Would you check and see if there's a quorum present.

Clerk at the Table: A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Deputy Speaker: The member for Hamilton Centre.

Mr Christopherson: Thank you, Speaker. I wasn't expecting that. The Minister of Municipal Affairs says, "What was I saying?" and that's what I was frantically trying to remember as I was sitting there watching the quorum come in. I believe I was asking how you can possibly justify what you've done to children in the province in the short time that you've been in office.

To reiterate, when we were in power as the NDP, and it didn't do any harm that we had cabinet representation at the table, we made sure there was \$1 million to provide a new building for the Children's Aid Society of Hamilton-Wentworth to make sure they had the facilities they needed to provide the protection that Hamilton kids deserve. What did you do?

Hon Al Leach (Minister of Municipal Affairs and Housing): We gave them hope and got them off welfare.

1700

Mr Christopherson: You cut the funding to our children's aid societies two years in a row. You cut the funding so you would have the money to give that tax cut to your friends. That's what you did.

Hon Mr Leach: To take 400,000 families right off the rolls.

Mr Christopherson: I hear the Minister of Municipal Affairs and Housing heckling from his seat. This is the guy I heard stand in his place and say how proud he is to be out of the housing business. I wonder how proud he is when he sees how many homeless people there are, when he hears the United Nations condemn his government for what they have done to children or when he reads reports from social planning and research councils about what has happened to kids in families that are the poorest of the poor during a time when we are recognized as one of the wealthiest states in the world. We're one of the wealthiest in the world.

Hon Mr Leach: I knew I'd make your voice go up.

Mr Christopherson: Of course my voice goes up. I get angry when we talk about kids who are in poverty, who are in worse poverty because of you, at a time when you're giving billions of dollars to people who are already rich. How do you justify that? How do you sanction giving billions of dollars to families that are rich when you take away the money that poor people need to eat? That's exactly what the United Nations told you, and you ought to be ashamed.

The Deputy Speaker: Comments and questions?

Mrs Ross: It's interesting how the third party has differing viewpoints. You hear from the member for Riverdale and the member for Dovercourt, who both spoke very positively about this bill, and I listened to their comments because I felt they were very interested in this bill and wanted to bring forward what they felt was a good piece of legislation, and that's how they interpreted this bill. Then, of course, you go to the member for Hamilton Centre, who can't find anything positive in anything this government does. It's very frustrating, because this is a good bill.

This is a bill that puts children's interests first. This is a bill that looks at early intervention, that gets children out of abusive and neglectful situations and looks after their care. This is a bill that helps to provide the training to children's aid workers so they can help identify children at risk. This is a bill that revitalizes foster care, which is a very important component of looking after our children.

The member for Riverdale stated in her comments that it wasn't their intention to score political points on this bill when it came to the committee hearings. I felt that really spoke to how concerned that member is for children in Ontario, as I am, as I know our other caucus members here are. That's what I'd like to see happen.

This is a good bill. This is a good, positive, step-by-step strategy forward, and I encourage all members in this House to bring forward any constructive viewpoints they might have on this bill instead of looking at all the negative things that should have happened 10 years ago but didn't.

The member for Hamilton Centre is right. Things should have happened earlier. His government should have amended this act earlier. But we have done it. It's a good bill and I encourage everyone to support it.

Mr Mike Colle (Oakwood): I just want to respond to the member for Hamilton Centre's comments and the concern he expressed in his discussion on this bill. He has the right to be very upset with the way this government has created havoc in the homes of ordinary people, in homes where children have come home crying. Over the last couple of months, for instance, the funding formula based on 100 square feet per child in every school would have resulted in the closure of over 500 schools in the province. That caused a lot of turmoil for children throughout Ontario. It's because the government rushed into things too quickly. They didn't think of the impact of their mechanical formula.

I think of what this government has done to hospitals, where they're closing 35 hospitals in this province, shutting down emergencies. They have closed down six emergency departments in the city of Toronto. Where do children go when they're sick now? The parents are really concerned. We know of the case of a family from Whitby where the mother had to drive all the way to Kingston in an ambulance.

This is what is causing a lot of concerns among children and their parents, because this government is just too reckless. It doesn't think before it does things. Over and over again it rushes into massive changes — like

housing. This government has basically walked away from its responsibility to house the needy, the seniors and children. Many children in the city of Toronto now are doubled up or tripled up in one-bedroom apartments because there is no housing available.

I support the member in his outrage, because there is a lot to be outraged about in the way children are being treated.

Mr Marchese: I wanted to congratulate the members for Riverdale, Dovercourt and Hamilton Centre for the comments they made.

In our support for Bill 73, a number of our members have pointed out that we need to balance the ability to protect children with the need to respect the integrity of the family in which that child may be. It's a very delicate balance. We have argued that where there is any conflict between intrusiveness and protection, protection of the child must win out. To deal with these very difficult issues in terms of this balance, of course we need hearings to hear from all the people involved in the field, who should be there to protect children. The hearings are a must, because that is the only way we will be able to improve this bill in terms of what people have been saying might be some deficiencies or things we have omitted, because the minister has cherry-picked and has left some things out. The hearings hopefully will bring some of those other things out.

The member for Dovercourt talked about the fact that funding is a critical matter, and the member for Hamilton Centre pointed this out. There have been cutbacks and they have been hurtful, and when there is an outcry from the opposition, when the member for Hamilton Centre says you have cut 22% for social assistance recipients, that is a serious matter for which you have been chastised by the UN committee in Geneva. They said that you as a government, and in Ottawa, "have adopted policies which exacerbated poverty and homelessness among vulnerable groups during a time of strong economic growth and increasing affluence." This isn't just something we have invented. It's something you have done by way of your policies, so the member for Hamilton Centre is quite correct in pointing that out.

Mr Carroll: We've just watched an interesting hour go by in this place as the member for Riverdale and the member for Dovercourt gave very passionate, reasoned explanations for their support of the bill, and then the member for Hamilton Centre for 10 minutes — quite frankly, I thought, "Christmas is obviously here." The member was being complimentary to our government, but that didn't quite last through the whole 20 minutes he had. He then turned, in the last 10 minutes, to his usual diatribe.

It's interesting. When he gets into those, his voice goes way up. I was once told by a very wise old man that the louder the voice, the weaker the argument. I'd like to pick a few holes in a couple of things he said. He talked about us not being interested in children. He says we're the only ones who think our education system is better. He obviously is not talking to parents and he's not talking to

children. He must be listening solely to Earl Manners and his henchmen.

He also talked about all the money we've taken out of children's aid societies. We just announced in the 1998 budget \$170 million extra for children's aid societies over the next three years. We just announced extra funding for children's aid societies. I know mine, in Chatham-Kent, got \$1.4 million over the next three years. So we have put more money in there.

He talked about how difficult we have made it for children. There are 130,000 fewer children in our province dependent on welfare than there were during the NDP reign, so I think that's a better situation. We introduced the Healthy Babies, Healthy Children program, a great early start program for children.

He made reference to the United Nations study. The one thing he didn't tell us is that the United Nations study was based on 1995 statistics. Memory will tell us that 1995 was the year that the NDP was in power and the government of Ontario.

1710

The Deputy Speaker: The member for Hamilton Centre has two minutes to respond.

Mr Christopherson: I appreciate the comments of the members for Oakwood, Fort York, Chatham-Kent and my Hamilton colleague the member for Hamilton West.

It's interesting that the member for Hamilton West said that I didn't say anything positive and the member for Chatham-Kent said that I spent 50% of my speech saying something positive. If we're going to talk about the way things are here, the Hansard is there.

To the member for Hamilton West, I did start out being supportive, because I think it's important to point out when the government is finally doing something right and that they be given that acknowledgement. The fact that we're going to support it and the fact that we're fast-tracking it, to me, is important to state.

But if the member thinks it's my job to spend my entire 20 minutes bowing to the Minister of Community and Social Services or taking my cap off and saying, "Thank you, thank you, thank you," and puckering up to the cabinet ministers, I say to her that that's what Tory backbenchers are for; that's not what opposition members are here for.

I thought I gave a balanced reflection of what's happening here today. The fact is that we are supportive of this bill, and I spent half my speech saying that. I spent the rest of my speech commenting and criticizing you, as is my job, pointing out where you have let children down in this province.

When the member for Hamilton West says, "Let's always talk about the positive things," listen, with what has happened in Hamilton, there's not much positive to talk about. Ask the mayor of Hamilton or the regional chairman for their comments on it. They'll tell you exactly the same thing.

What about the non-profit housing units you cut that children could have gone into, the Lister Block project that we could have saved, the money that has been cut out of

social services? You didn't comment on that. That's the reality of Hamilton, not the one you see with rose-coloured glasses.

The Deputy Speaker: Further debate?

Mr Dan Newman (Scarborough Centre): It's my pleasure today to participate in the debate on second reading of Bill 73, the Child and Family Services Amendment Act, 1998. As the bill says, it's An Act to amend the Child and Family Services Act in order to better promote the best interests, protection and well being of children.

When you go through this bill and read it section by section, this bill does everything its title says it does. It does promote the best interests of children, it does promote the protection of children and it does look after the well-being of children.

The amendments in this bill make it clear that our child protection legislation needs to put the best interests of the child first, and I'm proud to say that Bill 73 does that. These are the first major changes made to child protection legislation in the last 10 years. In the last 10 years there has not been any major change made to child protection legislation. Bill 73 acts to change that.

This bill, if passed, would provide stronger tools for the courts, professionals and front-line workers to do their jobs. I think that's good news, and I'll comment a little later on that section of the bill. These significant amendments focus on rules critical to protecting children better.

I'm pleased to say that I believe the Minister of Community and Social Services has listened carefully to the advice she has received. The amendments in this bill are based on a task force and inquest recommendations, the expert panel's report and the extensive consultations we undertook with the child protection sector in this province. The amendments are also part of this government's comprehensive reform initiatives to improve Ontario's child protection system. It's not just this bill; this bill doesn't do it on its own. There are a series of other changes our government has brought forward that I'm going to be talking about later as well.

One of the most important changes is that last year 220 additional front-line child protection workers and supervisors were hired as a result of our \$15-million announcement that was made in January. In May we announced an additional \$170 million for child protection, to be phased in over the next three years. In September all children's aid societies had been trained and were using the standardized approach to risk assessment. I think that's good for the children of Ontario, whether they live in Scarborough or in Listowel, Ontario.

As the minister, the Honourable Janet Ecker, has noted, "We know from inquests into the deaths of children and from the report of the child mortality task force that children have been falling through the cracks." They've been falling through the cracks because no changes had been made in the last 10 years.

On October 28, she further stated: "The purpose of today's amendments is to make it clear that our child protection legislation puts the best interests of the child first. These are the first major changes made to child

protection legislation in 10 years." Again, some more comments about the fact that no significant or major changes had been made over the last 10 years with respect to child protection legislation in this province.

Nico Trocme, a Toronto social work professor and member of the expert panel said: "It's encouraging to see that the government has moved forward so quickly on the work done by the panel of experts. This is a very positive move to a more child-focused approach to services for children and families in Ontario." Here we have a social work professor, a member of the panel, commending the government for this.

I know that Minister Ecker herself also stated on this day: "These ongoing investments and improvements, combined with the amendments I have introduced today," — this was back on October 28 — "represent the most comprehensive overhaul of the child protection system in 10 years. These changes will significantly strengthen our ability to protect vulnerable children in Ontario. They will provide children's aid societies and their workers with the tools and resources they need to protect children better."

I think this is a worthwhile and worthy bill, and that's why I believe, as we heard today, there is support from all three parties to have this bill passed, to receive second reading. I'll be standing in my place to support this bill because, as I mentioned, it is a worthy bill and stands to protect the children in our province, all across the province.

The bill itself makes it clear that the best interests, protection and well-being of the child are paramount. The bill also expands the grounds for finding a child in need of protection by explicitly including neglect, lowering the threshold for the risk of harm and lowering the threshold for emotional harm.

The bill also permits evidence of past parenting to be admitted in all proceedings, under part III, the child protection provisions. The bill also encourages more reporting by clarifying the public and professional duty to report that a child is, or may be, in need of protection. I think this is a very significant part of this bill.

The bill goes on to improve and streamline the processes that allow children's aid societies to access the information they need to protect children. The bill also promotes earlier and more decisive permanency planning so that decisions are made faster for children.

The bill also provides for a mandatory review of the CFSA at least every five years. So we won't have to be waiting down the road, as we have here, where it has been 10 years, to make any significant changes. This bill will say that the Child and Family Services Act will be reviewed every five years. That will be the law in this province. The bill also allows the Ministry of Community and Social Services to issue binding directives to children's aid societies in this province.

These are just some of the many important reforms this bill brings forward. As I mentioned, it's not just this bill; it's many other actions on the part of this government that have been brought about to improve child protection in this province. One of them is the common risk assessment

system that has been mandated for all children's aid societies in our province. It is now in effect and helping protection workers make better judgements about when a child is at risk.

We've also established a new information database to link all children's aid societies, which will be up and going next March. The database will help front-line workers track high-risk families whenever they move and alert the system to past children's aid society involvement in these cases. I think that's important as people move about the province.

There has also been, as I mentioned, an additional \$15 million that was invested last year to hire 220 additional front-line workers, to show support for this new database and to improve staff training at children's aid societies in Ontario. There has been additional funding of \$170 million that is being invested over the next three years to hire more new staff, to revitalize foster care and training for front-line workers. This is significant.

1720

There has also been the highly successful Healthy Babies, Healthy Children program, which is a prevention and early intervention program for high-risk children under the age of six, and that program is being expanded.

There is also a new approach to funding children's aid societies that is equitable and better reflects the workload and service needs that will be introduced.

There is also training and orientation for professionals, including doctors and teachers, being developed to assist them in their duty to report cases where a child is or may be in need of protection. That goes back to Bill 73, the Child and Family Services Amendment Act.

In addition to the 220 workers who were hired as a result of an announcement earlier in the year, on December 3 of this year, just two weeks ago today, the Minister of Community and Social Services, the Honourable Janet Ecker, made an announcement that children's aid societies would be able to hire 760 new front-line workers over the next three years.

Mr John L. Parker (York East): Wow.

Mr Newman: "Wow," says the member for York East, and he's absolutely right, because that 220, plus the 760, is 980 new workers who will be in place by the time those 760 workers are in place. That will be 980 additional front-line workers to protect the children in the province.

Mr Parker: That's the most in history.

Mr Newman: "The most in history," the member for York East said, and he's absolutely correct.

What the minister said on this day is that we now have a method for funding child protection that is fair and better reflects the workload and service needs of children's aid societies. This represents the latest step in our ongoing reform of Ontario's child protection system. As I mentioned, the 760 new additional workers, plus the 220 who were hired last year, will give us the most child protection workers ever in the history of this province. This government takes a back seat to no one with respect to child protection.

We've also provided new staff with a 12-week pre-work training program for these front-line workers, and also increased the minimum foster care rates by 85%. This will help children's aid societies recruit approximately 500 more foster families by the year 2001. These, again, are very significant things happening with respect to child protection in this province.

As I was doing some research for my speech today, I wanted to see what various newspapers had to say about this bill, Bill 73, the Child and Family Services Amendment Act, 1998. In the Toronto Star on October 7 of this year, the headline is, "All Parties Back Bill on Abuse," and there's reference in this article to a child who was beaten for months. That's a very sad case that happened in my riding. I hope this bill ensures that that child is the last child who ever has to endure anything like that.

The Toronto Star on October 29 — that would have been the day after the bill was introduced — said, "New Law Helps Abused Children," and it quotes the Minister of Social Services, the Honourable Janet Ecker: "I think the most significant change in this legislation is what it says to everyone in the system.... It says that the question uppermost in your mind at all times is what is in the best interest of this child." That exactly goes back to the full title of the bill.

The Toronto Sun, on the very same day, October 29, 1998: "Tories Move to Protect Children." It states, "The new law would enshrine the protection of children, not the interests of the family, as the governing principle of Ontario's child welfare laws." It quotes the minister as saying, "These changes will provide new rules to better protect children at risk of abuse and neglect," she told the Legislature. "This means stronger tools for the courts, professionals and front-line workers to do their jobs."

The National Post on October 29: "Children's Rights Put Ahead of Family in Changes to Law." It says, "Legislation introduced yesterday will require child welfare workers in Ontario to place the rights of the child ahead of the needs of the family when assessing cases of suspected abuse."

I know these newspapers are just out of Toronto, but from across Ontario, the Woodstock Daily Sentinel says: "Child Welfare Reform Wins Praise from CAS Chief." It quotes Marty McNamara, the executive director of the Oxford Children's Aid Society, and it states, "It's encouraging to see that the government has moved forward so quickly in respect to new amendments to the legislation.... We see it as a very positive move towards a more child-focused approach."

It goes on to say:

"The child protection amendments would also:

"Grant family access to children who are crown wards only if it benefits the child;

"Clarify the duty of professionals and the public to report when a child...needs protection;

"Promote earlier and more decisive planning for children's futures so permanent arrangements can be found as soon as possible.

"The amendments stem from findings of the child mortality task force and the resulting eight-member...panel

Minister Ecker appointed to review Ontario's child protection legislation."

The Cambridge Reporter, on October 30: "Fewer Kids Will Fall Through Cracks." It quotes Peter Ringrose, the executive director of the family and children's services in Waterloo region, stating that the amendments in this bill "will make it easier for workers to step in when abuse is suspected." It goes on to say — and this is Peter Ringrose, the executive director, talking — "It's lowered the threshold in a number of clauses as to the extent of evidence you would have to show," he said. "In the past you had to demonstrate substantial risk. In the new proposals they've changed that to simply any risk that the child is likely to be harmed." He goes on to say that this is a good-news story.

An editorial in the Hamilton Spectator: "Support for Children at Risk." Partway through the editorial on October 30, it says: "While the legislation is overdue, Social Services Minister Janet Ecker deserves applause for making the move in response to many recommendations from child care professionals and coroner's inquest juries. The bill, in general, is broadly worded — as it should be — to give authorities the necessary discretion to intervene on behalf of children when trouble first appears. Surely, the safety of children must take precedence over the rights of parents and guardians. If this legislation had been in place earlier, some tragic deaths of children might well have been prevented."

I agree with the Hamilton Spectator when they said that on October 30, because, again, what this bill does is definitely promote the best interests of children in this province. It promotes the protection and well-being of all children in the province.

The London Free Press, October 29: "Abused Children Target of New Bill." It says here:

"Among other things, the new legislation would:

"Make it clear its main goal is to protect children rather than to preserve the family.

"Expand the grounds for taking a child into protection to include neglect and allow intervention at a lower level of emotional and physical harm.

"Encourage professionals such as doctors to notify the children's aid of suspected abuse early and often.

"Make it easier for a CAS to prevail in court, requiring the agency to prove a 'risk' of harm rather than a 'substantial risk.'

"The proposed legislation — the law's first rewrite in a decade — borrows from a recent panel of experts that had the support of aid society workers and managers."

The Windsor Star — going farther down the 401 — on October 29: "Ontario Overhauls Child Welfare Laws." It quotes the minister in this piece on that day, saying:

"We know from the inquests into the deaths of children and from the report of the child mortality task force that children have been falling through the cracks.

"The purpose of today's amendments is to make it clear that our child protection legislation puts the best interests of the child first."

I think that is why we have agreement from all three parties for this bill to proceed through second reading.

The Globe and Mail on October 29: "Ontario to Beef up Child Protection." It says, "The legislation also would expand the grounds for intervening to protect a child at risk, lower the threshold for intervention, and encourage more and earlier reporting of suspected abuse."

1730

The last piece I wanted to bring forward was a piece that was written by the Canadian Press. My colleague the member for York East touched on this article on December 3 when he spoke in this House. He talked about the headline that says, "New Bill Puts Children First." He spoke at length about that and gave an excellent speech on that night, because he believes, as I do, that this is a good bill. Bill 73, the Child and Family Services Amendment Act, does indeed, as it says here in the Canadian Press article, puts children first. I think this is good for all the children in the province, whether they live in Listowel, whether they live in Scarborough, whether they live in Moosonee or any point in between any of those spots, that the children of this province will definitely be better protected by the changes in Bill 73.

On that note, I'll conclude my remarks.

The Deputy Speaker: Comments and questions?

Mr Mario Sergio (Yorkview): I commend the member for Scarborough Centre and the government as well for bringing the bill forward at this time, if not before. At least we have something to go by. We have expressed our support in general terms of the bill. If nothing else, we have said that the bill still has some areas where it should be improved and I'm very pleased to see the bill at least at this late stage. If we had had a choice, we would have liked to see passage of this bill in this session this year, but this is not going to happen.

At least we can see that the bill is moving forward. It's going to public hearings, where hopefully the members on the government side, who usually have the majority on any committee, will listen to those people who will bring forward some amendments, some much-needed changes to the bill and strengthen it, make it better than it is. Even the Children's Aid Society of Toronto has a number of difficulties with the bill, but they are also saying, "Let's get on with it," because this is at least the beginning of reforming the child care protection legislation here in Toronto. It is much needed, it is very much needed indeed, especially for those children about whom almost on a daily basis we hear horror stories. It will offer some much-needed protection for those children.

If we offer our support, it is our very serious commitment to the welfare and protection of our young children in Ontario. I'm very pleased to see that we are moving on and that this will carry on to the committee level.

Mr Christopherson: I also — you might want to write this down, Dan — want to commend the member for Scarborough Centre on his speech. The fact that he was able to read off for close to 20 minutes all the various entities, individuals and groups that support Bill 73 is an accurate reflection of the way people feel about this bill.

Certainly it's the way we feel about it. There are some issues we're going to raise in committee where we think it could go a little further, but there is general agreement that

it puts abused children first and, therefore, it's in the public good that this bill proceed as quickly as possible. That's why he was able to read out the kinds of endorsements of the bill that he did and why he's receiving the support of both the opposition parties.

Let me tell you, it comes at a price. There are a lot of people who don't like you much as a government. Not you personally, Dan; I'm talking about you as a government. When people tune in on TV and see you standing here saying, "It's a good bill; we're going to support you," and then you go back to your home community, some folks there want to know: "Have you taken leave of your senses? Why are you doing that?"

The reality is that on that rare occasion when we get a good piece of legislation from the Harris government that actually helps the public good, then it needs to be supported. But I would point out to the member, and ask him to comment, that if it's so good now to hire these staff, as he's mentioned, and it's so good now to put this money in, why isn't he commenting on how bad it was to cut the staff in the first place? By the way, when you talk about hiring 220 staff, there are already 455 permanent positions lost in children's aid societies. Why don't you comment on how wrong it was for your government for two years in a row to cut the budgets of the children's aid societies? I'd like to hear that in the interest of fairness.

Mr Carroll: I want to compliment the member for Scarborough Centre on a great speech.

Mr Bradley: I too wonder why the member did not mention that, first of all, there were these huge cuts that took place in terms of child care workers in the province and then you make it look as though somehow you've done them a favour. You kick them in the stomach and then you don't kick them in the stomach next time and you think they're supposed to be happy about it. Everybody is delighted when you are converted on the road to Damascus and finally come forward with the funding that you've already taken out of the system. We thank God for small mercies, at the very least.

Second, the building in St Catharines is decrepit and not capable of handling the volume of people who have to work in it. The people cannot do their jobs appropriately. They have made representations to you in order to carry out the provisions of this bill. Obviously, they're going to have to have you respond to their request for funding to have an appropriate building in St Catharines for the Niagara Family and Children's Services. I implore you to do that. There was a local fundraising effort. A lot of people made donations to it. They were anticipating that there might be some funding coming. Who knows, with an election coming perhaps you could be the first to make the announcement.

I would also like to ask the member what he thinks of the fact that Richard "Badger" Brennan is leaving the press gallery here at Queen's Park. Tonight there is a going-away reception for Badger Brennan. I know there's almost unanimity in the government benches in terms of applause that he will no longer be badgering you people, but I can tell you that we will miss him very much here at

Queen's Park. He was the president of the press gallery. He's going to have to abdicate that position now. I'm sure we all pay tribute to Badger Brennan.

The Deputy Speaker: As long as he's not taking Wellington Road through Damascus.

The member for Scarborough Centre has two minutes to wrap up.

Mr Newman: It's my pleasure to respond to the comments from my colleagues. I guess it must be Christmastime because we're all in agreement here today. I want to thank the member for Yorkview for his comments and the member for Hamilton Centre for his comments, the member for Chatham-Kent for the best use of two minutes I've ever seen, and I think that's great. I always want to thank the member for St Catharines for his comments. Sometimes his comments don't deal with the bill; some might say most times they don't deal with the bill —

Mr Parker: Do they ever?

Mr Newman: "Do they ever?" asks the member for York East. They don't normally, so why should today be any different? But we always enjoy hearing his commentary.

I know the members would definitely want to know that there are more front-line workers under this government than there were under the Peterson government or under the Rae government, more child protection workers to protect the children in this province, and that is what's important.

I mentioned this bill is all about putting children first. It's a bill that makes it clear that the best interests, protection and well-being of the child are paramount. It expands the grounds for finding a child in need of protection by explicitly including neglect, lowering the threshold for the risk of harm and lowering the threshold for emotional harm.

The bill also permits evidence of past parenting to be admitted into all proceedings under part III, which is the child protection provisions. It encourages more reporting by clarifying the public and professional duty to report that a child is or may be in need of protection. It improves and streamlines the processes that allow children's aid societies to access the information they need to protect children. It promotes earlier and more decisive permanency planning so that decisions can be made faster for children. That's what is important: putting children first. It also provides for a mandatory review of the act at least every five years. It allows the Ministry of Community and Social Services to issue binding directives to all children's aid societies.

The Deputy Speaker: Further debate?

Mr Sergio: I'm pleased to join the debate with my colleagues here in the House on this important piece of legislation. We are dealing tonight, at this time, with so-called Bill 73, which is An Act to amend the Child and Family Services Act in order to better promote the best interests, protection and wellbeing of children. It's a good title.

1740

I believe everyone has indeed addressed the well-being and the welfare of our children in Ontario. We indicated

quite some time ago our intention to support such legislation. As a matter of fact, this legislation was introduced for first reading back on October 28 of this year. That is some three years since the government took office, and they said this would be one of those things they would introduce. I wish and I would suspect that every member of the House would have —

Interjection.

Mr Sergio: Yes, indeed, that they would have introduced it at an earlier time. But we'll take it as it is now.

I'm also pleased to see that at least we are moving it into the new year and have an opportunity, not only ourselves but the people in the field, especially the children's aid society people and the other people who are associated with giving care and attention. They have demonstrated always, on a continuous basis and in an increasing manner, the interests and safety concerns and welfare of our children in Ontario.

It's not one of those things that you feel like bashing the government because of what they have done and the cuts and stuff like that, especially at this particular time on this type of motherhood-fatherhood bill. It is good to see that we are moving forward with it. It's a reform that is badly needed and has been neglected for a long time. If not only this government but past governments, them all, would have introduced necessary legislation with the necessary tools, the necessary mechanisms to provide those safety nets, those caring measures, we might have saved the lives of many children in our province. But so be it. We are here. As I said in my brief — Mr Speaker, if I'm allowed, I've got a memo here to stop at 17. Am I supposed to stop at 17, may I ask? Am I supposed to stop at this particular time?

Mr Colle: Yes, stop now.

Mr Sergio: I'll do that but will carry on later, for the time's sake.

The Deputy Speaker: Comments and questions? Further debate? Does the parliamentary assistant have a statement to wrap up?

Mr Carroll: No, thank you, Mr Speaker.

The Deputy Speaker: Mrs Ecker has moved second reading of Bill 73.

Is it the pleasure of the House that the motion carry? It is carried.

Shall the bill be ordered for third reading?

Mr Carroll: We'd like the bill referred to the standing committee on resources development.

The Deputy Speaker: Is it the wish of the House that the bill be referred to the standing committee on resources development? It is agreed.

CONDOMINIUM ACT, 1998

LOI DE 1998

SUR LES CONDOMINIUMS

Mrs Ross, on behalf of Mr Tsubouchi, moved third reading of the following bill:

Bill 38, An Act to revise the law relating to condominium corporations, to amend the Ontario New

Home Warranties Plan Act and to make other related amendments / *Projet de loi 38, Loi révisant des lois en ce qui concerne les associations condominiales, modifiant la Loi sur le régime de garanties des logements neufs de l'Ontario et apportant d'autres modifications connexes.*

Mrs Lillian Ross (Hamilton West): I'll keep my comments very brief. The Condominium Act was enacted in 1967 and revised in 1979, and since that time condominium development and condominium home ownership has changed dramatically. Where in the 1960s it used to be a relatively new concept, today it's a matter of choice of lifestyle for many people across this province.

I want to take this opportunity to thank Minister Jim Flaherty, former parliamentary assistant in this ministry, for his hard work during the consultation process. I also want to thank Paul Gordon, policy for the ministry, and Nancy Sills for their hard work — they have spent a tremendous amount of time supporting and drafting this bill — and Derek O'Toole as well for his hard work. Particularly Charles Finley, who was legal counsel and has since retired from the ministry, put a tremendous amount of work in this bill as well; and I can't not comment on Peter Ross — no relation — a fine gentleman who has since retired from the ministry, who spent eight years bringing this Condominium Act to fruition. This is a good day for Peter Ross, and one he should be very proud of.

This is a consensus piece of legislation, and I urge all members to support it and to move forward.

The Deputy Speaker (Mr Bert Johnson): Comments and questions?

Mr Mario Sergio (Yorkview): In support of the member who has just addressed Bill 38, the Condominium Act, I would tell the members that I was at the hearings we had on this particular bill. While the bill proposes a number of changes, as well there were a number of submissions that came and expressed serious concern on a number of areas. Again, I'm asking members of the government, especially those who will be sitting on the committee when this comes back for the final say, that they pay some attention and make those necessary changes so we can have those amendments. I hope the members on the government side will take that into consideration, because in the end the fact is that we want to see the best possible legislation approved in the House.

As has been said before, the government may take the final credit. So be it. It is in our interests to have our input, to see that the legislation is approved in such a way that it's fair for the owners of those condominium units, it's fair for the management people and the board of directors as well, but ultimately it has to be fair for the owners, who will have to pay the maintenance fees. They are the owners, so they will pay the taxes. They want to live in a healthy environment and not always be under pressure because of mismanagement or other factors.

I support the comments made by the member.

Mr Rosario Marchese (Fort York): It's good to have two minutes to say that we have supported this bill when it appeared before us in the past. We understand and support

disclosure up front, of course. It's a good thing for people buying condominiums. We understand and support the fact that a reserve fund has been set up for capital repairs. That's something everybody has been asking for in the private sector. In the general rental market, that's something they would like as well, by the way. Reserve funds should be set aside in order to deal with capital problems and capital repairs.

I would remind you, Speaker, that this is a bill that all three political parties supported, if you recall. You will also recall that the government asked for, if I remember, three or four weeks of hearings on this bill. Do you remember that? Three or four weeks of hearings on a bill that we said we support. Normally, if three parties support the bill, you say OK, you'll possibly have a day of hearings, maybe two days of hearings. But when you have a Condominium Act that all three political parties support, do you really think you need three weeks of hearings so the good people of Ontario can say, "Yes, this is a good thing, by and large"? I don't think so.

There have been so many bills that have required or would have required a hearing from people, would have required a voice to be given to people, where you said, "No, we haven't got time for that," but for bills that we all agreed with, they give a couple of weeks, three weeks of hearings.

Anyway, we support disclosure and we support —

The Speaker (Hon Chris Stockwell): Questions and comments?

Mr Jack Carroll (Chatham-Kent): I just want to compliment the member for Hamilton West again on a fine presentation.

Mr James J. Bradley (St Catharines): It's high time this government brought forward this legislation to do with condominiums in this province. I've read it thoroughly and, fortunately, you have accepted most of the recommendations the Liberal Party has made in this regard and that's why we support this. I've looked at those provisions carefully and, having done that, we support the bill.

The Speaker: Response?

Mrs Ross: This bill has gone through a tremendous amount of consultation and obviously the opposition recognizes that and that's why they're supporting it.

1750

SPEAKER'S RULING

The Speaker (Hon Chris Stockwell): I know Mr Wildman isn't in his seat. I can assume from the member for Dovercourt that it's OK if I read the ruling. Thank you.

On Tuesday, December 8, 1998, the member for Algoma (Mr Wildman) raised a point of order with respect to the authority of the Speaker under standing order 105(i). Let me begin by defining my power under that standing order. I have no ability to direct the committee to consider a matter — whether it is procedural or administrative. I do not have the ability to request that the

committee undertake a review of procedural matters relating to this House or committees in general. In addition, the committee may advise me and/or the Board of Internal Economy on matters of administration.

I believe that I, as the Speaker, do have the authority to request that the committee consider a matter of administration. Indeed, Speakers have done so in the past. However, I think that that authority stops short of making a request that the standing committee on the Legislative Assembly review and report on a decision that has already been taken by the Board of Internal Economy. Under the Legislative Assembly Act, the board is charged with the responsibility for making decisions relating to the operation of the Office of the Assembly. It is not within my power to use the committee as an appeal body for those decisions. Finally, I want to say to the members that I believe it would be highly improper for the Speaker to refer a matter to a committee that would involve an investigation of any member of this House. That is a referral that can only be made by the House itself.

Mr Tony Silipo (Dovercourt): On a point of order, Mr Speaker: When you read the first paragraph in this statement, I believe I heard you say, "I do not have the ability." The written statement says, "do have the ability." I just wanted to be clear about what —

The Speaker: I'm sorry, it should say "do have the ability." I clearly do have the authority under the standing orders.

CONDOMINIUM ACT, 1998

LOI DE 1998

SUR LES CONDOMINIUMS

(continued)

The Speaker: Further debate?

Mr Mike Colle (Oakwood): Briefly, in terms of the new condo law, I know the member for Hamilton West has done a good job on this in committee. She tried to get some of the complexities ironed out. I know some of the representations were certainly helpful in that regard.

What I experienced in the committee was the number of volunteers who sit on the boards of directors of condominium corporations and the countless hours they put in to ensure that their condominium corporation runs for the benefit of the owners and the residents of that condo, and that came across loud and clear. These people sometimes have a very thankless task. I know they had some problems with some parts of the bill, but I think they were given the ability to at least have some input and I think

they should be congratulated for the time and effort they put in in helping to make this a better bill.

I also want to say that one of the concerns I should put on the record — it sort of came a bit late in the game, but there was an article on December 16, yesterday, by John Ibbotson in the Post which raised some issues that I think the government should just be on guard for. Mark Freedman, who is the former chair of the Canadian Condominium Institute, said, "There are many obstacles to successfully completing a condominium project." He said he had mixed feelings about the new law, which is three times, by the way, longer than its predecessor. He's quoted as saying, "In some ways, it creates as much red tape as it eliminates."

That is maybe one of the pitfalls of trying to redo such a complex piece of legislation. It adds to complexity for ordinary citizens who are purchasing a condominium and it is not going to be easy for them, although this bill does attempt to deal with some of the inconsistencies in the problems condominium owners have faced in the past.

I certainly commend the government for working hard on this. I know they have tried, but there are still pieces of it which I think have to be monitored. Mr Freedman raises that flag. Another flag is raised by Robert Gardiner, who is a lawyer representing more than 200 condominium corporations in the Toronto area. He is worried that possibly this might also lead to some extra pressures to have higher fees passed on to condominium owners as a result of some of these changes. I just put the government on alert, and the people who are fortunate enough to own and live in a condominium, that you have to be vigilant in ensuring this new act doesn't end up in higher fees, and it is a somewhat more understandable improvement over the old act. Our party is supporting it. It is an act that is going to benefit the majority of people who are living in a condominium situation.

The Deputy Speaker (Mr Bert Johnson): Questions and comments? Further debate?

Does the parliamentary assistant want to wrap up?

Mrs Ross: I just want to thank everyone for speaking to the bill. It is a good, positive move forward and we encourage them to vote for it.

The Deputy Speaker: Mrs Ross has moved third reading of Bill 38. Is it the pleasure of the House the motion carry? It is carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

It being almost 6 of the clock, this House stands adjourned until 6:30.

The House adjourned at 1757.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
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Government
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Second Session, 36th Parliament

Assemblée législative de l'Ontario

Deuxième session, 36^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Thursday 17 December 1998

Jeudi 17 décembre 1998



Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 17 December 1998

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 17 décembre 1998

The House met at 1831.

ORDERS OF THE DAY

RED LIGHT CAMERAS PILOT PROJECTS ACT, 1998

LOI DE 1998 SUR LES PROJETS PILOTES AYANT TRAIT AUX DISPOSITIFS PHOTOGRAPHIQUES RELIÉS AUX FEUX ROUGES

Mr Clement moved second reading of the following bill:

Bill 102, An Act to amend the Highway Traffic Act to permit pilot projects relating to red light cameras / Projet de loi 102, Loi modifiant le Code de la route pour permettre les projets pilotes ayant trait aux dispositifs photographiques reliés aux feux rouges.

Hon Tony Clement (Minister of Transportation): Madam Speaker, I would like to seek unanimous consent to limit debate on this particular matter to one hour split three ways among the three political parties and that any unused time be further split between the two opposition parties.

The Acting Speaker (Ms Marilyn Churley): Is that agreed? Agreed.

Hon Mr Clement: It is my pleasure to join in the second reading debate on this very important bill, the Red Light Cameras Pilot Projects Act, 1998.

Let me take this opportunity at the outset to thank both the Liberal Party — the opposition party — and the New Democratic Party — the third party — for their co-operation on this bill being debated to its successful conclusion this evening. Their co-operation will allow the government of Ontario to work with the municipalities early in the new year to move forward with these pilot projects. That is the kind of co-operation that is necessary because we are dealing with an issue of extreme importance to the citizenry in Ontario.

I said when I introduced the bill that according to Ministry of Transportation records collisions at municipal signalized intersections account for 21% of all collisions in Ontario; these collisions contribute to the over \$9 billion which is the annualized cost of all collisions in Ontario; and in 1996, the last year in which we have complete statistics, there were 21,500 convictions for running red lights. I said at the time that's 21,500 times too many, too often, that we have this violation in our

society. Indeed, the fatality statistics also tell the story: 20 deaths last year at signalized intersections; 20 deaths too many.

We've all been grappling with ways to handle this issue. I would like to think that through this discussion we have come to the conclusion that the best way to proceed is through a pilot project that genuinely tests throughout, not only in the municipalities of Toronto or in other urban municipalities but in any municipality that has signalized intersections that wishes to proceed, to test how best to combat this aggressive driving behaviour.

I am of the view that the same people who habitually run red lights are the people who are taking unnecessary risks on our highways, who contribute to road rage by weaving in and out of driving vehicles, who habitually flout our laws in the misperceived notion that somehow this is allowable and that somehow they are exempt from the rules of physics, exempt from the rules of mortality perhaps, but they are a risk to other innocent drivers or pedestrians on our roadways.

We concur with the idea that now is the time to test these red light cameras — some of those photograph the back plate, some of those photograph the front plate and driver — in conjunction with enhanced police presence at our intersections as well. I can tell the honourable members that the enhanced police presence option was initially tested for a brief period of time in my region, the region of Peel, in the city of Mississauga, and indeed it was found to have some deterrent effect. We would like to try that in a broader pool of municipalities, and through the participation of the Insurance Bureau of Canada, the cost of that is being shared by the private sector.

In Peel it was found that although the cost of those additional police officers was \$50,000, there was over \$250,000 worth of tickets that were issued, not only on red light running but also on lack of seat belts, driving while suspended and driving without insurance. Our police officers were able to identify these drivers on the spot and issue those sanctions that are attributable to those offences, and the result, I believe, is safer roadways.

But I do not want to prejudice. The issue here is, can we allow red light cameras to be part of the solution? The answer is yes. Let us work on all of the solutions — police presence, red light cameras, maybe other video camera technology — let the municipalities decide what is best for them and come up with a proposal that makes sense, and we will be happy on the government side to proceed with those proposals and to test those results.

With that, again I want to thank the opposition this time for being part of the solution that we all want to get to,

which is safer roads in our communities. I believe we are on the cusp of a solution that allows the municipalities to test some of the solutions that are out there. I commit my ministry to working with the municipalities and with other members of this Legislature to combat this aggressive driving behaviour before it unduly takes more lives and creates more damage in our society, which we can ill afford. I thank you for your time.

Mr Mike Colle (Oakwood): Madam Speaker, as you know, both opposition parties have been very anxious to see red light camera technology used in Ontario and have been asking for it, have been pleading for it really, along with many Ontarians, for the last two and a half years.

I think most Ontarians are essentially fed up with the epidemic of red light running that's occurred at intersections all across this province. Whether you're in Hamilton, Ottawa or Toronto, it has been something that's sickened a lot of people, especially people who've had family members who have been victimized by these accidents. I wish this had happened earlier. We could have saved a lot of lives. We could have saved a lot of accidents, the grief of families going through accidents.

These accidents at intersections are the most severe. They're usually T-boning at high speed. The evidence shows internationally that when a photograph is taken of the red light runner going through an intersection, they're not only going through a red light and disobeying a signal, they're also going at a speed higher than the speed limit. They're going 60, 70, 80 kilometres per hour at the same time. So they're endangering not only themselves but innocent people.

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In terms of the bill itself, I think it's a necessary step. I know the government has had many misgivings about the technology, but the government has bowed to public pressure. The public really didn't accept no for an answer, because there is no other solution by itself.

You can have all the police presence you want if you have the financial resources to do it. Even that is not sufficient, because when a police officer goes to court, time and time again it's almost impossible for the police officer giving the evidence not to be contradicted by a very astute defence attorney who will question the time of day, the lighting, the police officer's vision. So even though the police officer is right on the spot catching a red light runner, that police officer may have to spend days and months in court. As in the case of the Laporte family in Ottawa, the eyewitness account was not taken by the judge. That's why police presence by itself cannot do it. That has been proven in country after country.

It also puts the police in danger. You can imagine a police officer who has to be stationed at an intersection when a person runs a red light. What does the police officer do? Does he or she then proceed through the red light to catch the offending red light runner? It is a very precarious situation for police officers in a moving violation, especially when a person is probably going at a very high speed and not obeying the red light.

Whether you're in Melbourne, Australia, New York City, Scottsdale, Arizona, Los Angeles, or now the province of Alberta, red light camera technology helps the police do their job more effectively. It's a tool for the police. It's a tool which gives them not only potential evidence if it goes to court, but this tool acts as a deterrent. In city after city, the evidence shows that the installation of red light cameras reduces the incidence of red light running by up to 30% or 40%. The cameras themselves act as a deterrent.

As you know, in the case of the pilot project that the city of Toronto put in at the corner of St Clair and Dufferin, there was a 50% reduction in the number of people who ran red lights in that trial period. When they first put the cameras in, an average of 60 cars were running the red light each hour during the first month of operation. In the second month, that was down to an average of 28 cars. So from 60 per hour with one camera, it went down to 28 per hour, and they weren't even issuing tickets or summonses. The fact that the camera was there was acting as a deterrent in this one pilot project at St Clair and Dufferin.

In cases where cameras have been in use in Australia, since 1983, there has been a similar example whereby there's a deterrent effect of up to a 30% to 40% reduction in violations that occurs right off the bat because the cameras are there. The cameras are also signed. There's a warning as you approach the intersection telling you you're coming to a red-light-monitored intersection. It acts as a deterrent by being there.

What I hope this will start and what we've been trying to do for the last couple of years is to educate the public about how the cameras work and how horrific this problem is. Thankfully, with the help of people across this province, we've been able to educate people about the horrors and the consequences of red light running. A lot of people I've talked to have a much different attitude about red light running today than they had two and a half years ago. A couple of years ago people said: "The cameras are like photo-radar. We don't like photo-radar. We don't want cameras." But I think people have begun to understand. These are not about people speeding; these cameras are about people injuring other innocent victims — pedestrians, cyclists or motorists — at high speeds at intersections, where death and injury result. We're trying to stop that with the cameras.

It's not about a person speeding on a highway somewhere; it's about a person speeding at the corner of King Edward and Rideau in the city of Ottawa; it's about a person speeding at the corner of Broadview and Danforth, constantly, 60 per hour, or at Bathurst and St Clair, at Dufferin and Finch, intersections where there are pedestrians, seniors, ordinary people going to work in their cars, and if there are 60 per hour running these red lights, you can imagine the danger they're putting people in.

You have to take into account that in the city of Toronto there are about 1,800 signalized intersections. How many police officers would you need? There are

about 3,200 in the GTA. How many police officers would you need to be there 24 hours a day, trying to catch these red light runners? You'd almost have to double the number of police offices in the GTA to catch them, considering the frequency of red light running which occurs.

As I said, it's part of an education process. I hope the ministry takes this seriously enough to also include a major section in the driver's handbook. Right now there's just reference in passing. I think we need a major section in driver instruction, in the driver's handbook, about the importance of stopping at lights.

I want to thank people across the province who made this an issue that the public supported. It happened, first of all, because of the Laporte family in the city of Ottawa. Mr Roger Laporte owns a nursery in Jean-Marc Lalonde's riding of Prescott and Russell, in Cumberland. In 1997, his son Michel, while going to work, unfortunately was T-boned by a red light runner. Mr Laporte, his whole family and his three children were extremely distraught, to the point of — what do you say at that point, when that happens to your son and your grandchildren go through that?

One of the things Mr Laporte did was that he said to his friends and relatives that he wasn't going to let the death of his son Michel go in vain and that he could maybe prevent other deaths from occurring. By alerting people to the dangers of red light running, he could maybe do something to make up for the loss of his son. So Mr Laporte, along with his neighbours and a regional councillor in Ottawa, Diane Holmes, decided to try and make this horrific tragedy into something positive, as much as they could.

Mr Laporte, the Ottawa city council, the Ottawa regional council and the police chief, Mr Ford, all supported positive action to stop the red light running epidemic through the Ottawa-Carleton region. Mr Laporte was even here in this Legislature literally begging the Premier of this province to do something about the red light running problem. Our hats should go off to the Laporte family and to his friends and neighbours who supported his efforts to try and do something in memory of his son Michel.

I think his efforts mean that we have this bill before us today. A lot of people across Ontario in the future should think back to the work done by the Laporte family at a time of great grief. They did this publicly, and that takes a lot of guts.

I also want to thank councillors all over the province; safety advocates like Councillor Di Vona and Councillor Ferri in the city of Vaughan, who also passed resolutions through their council; the mayor of Ottawa, Jim Durrell; Hamilton city council; Mississauga council; and Chief Julian Fantino, who is a great supporter of red light camera technology in the city of London.

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Also in the city of Toronto, we had Mayor Mel Lastman who took this on as something that he was going to carry, and he did, I think, with a lot of effort and a lot of

energy, along with Chief David Boothby, who wasn't afraid to take on the government's no. They fought and fought and did their own awareness campaigns, and I want to thank them for their efforts. Councillors like Councillor Jack Layton in the city of Toronto, Madam Speaker, whom you know well, also made the public aware of the horrors of red light running and the impact it has on ordinary Canadians, ordinary citizens in Ontario.

These are some of the people who for the last couple of years have been working to try and explain that there was a serious problem and that the problem could be solved in part by the use of red light technology. They all did something very valuable over the last couple of years and, again, I think they deserve some congratulations for their efforts.

I also want to thank the people in the St Clair-Dufferin area, who have had a horrific problem at that intersection, for being involved with community safety programs, demonstrating and doing whatever they could with petitions, with flyers. They helped wake up the government to finally do the right thing and bring in red light camera technology, despite all the excuses and all the obstacles this government kept putting forth.

What we need now is some explanation, because there are so many questions that people still ask every day about the technology. Maybe by putting some of this on the record in Hansard, we can help get the cameras in as many cities as possible.

One of the things I like about the legislation is that it gives each municipality the opportunity to bring in technology and to use whatever technology they see fit that suits their community. I think that's a good part of the bill because there are different traffic scenarios in every part of this province and what may work in downtown Toronto may not work in Mississauga and may not work in Ottawa. They are going to be given the opportunity to try a different configuration. I don't begrudge them trying the frontal photography technology. Let them try that if they wish. I think that will possibly work in some cases, but the bill will allow each city and municipality to try the technology.

Some of the questions that are asked are: "What happens if I'm making a turn and I'm caught in an intersection? Will I be given a ticket?" The answer is no. The camera takes pictures only when the signal turns red and then the camera is activated. You also have to cross a sensor in the road. So the camera will very clearly show a picture of the intersection with a time sequence and also the colour of the light will be there. Therefore, if you're caught making a turn, it will not count. It's people basically running solid reds.

Also, people ask, "Do red light cameras violate privacy?" This was one of the things that people were concerned about and it was an issue the government raised. The answer to that is that you're on a public highway and you have a public responsibility. If you break the law, you have to also think of the privacy of the person involved in an accident. As one of the victims told me: "What about the privacy of my daughter when she was

pulled out of that wreck at the intersection in broad daylight as a result of the red light runner? What about her privacy?" I think the general good outweighs the concern of that red light runner who's concerned about their privacy. They have a public licence on a public roadway and they have a public responsibility.

Also, one of the things that people ask quite frequently is, "Which technology is best, rear licence technology, which is used in most cases, or frontal visual technology through the windshield?" Most experiences show that the rear licence technology is easier to enforce because the licence plate is clearly there, whereas if you take a frontal picture through a windshield, there may be problems with light, with a person maybe not shaving or wearing a hat or glasses. Generally speaking, that works, but again, this bill is going to allow both types, which I think is good: frontal technology or technology that takes the conventional ones of the rear licence plate.

I also want to say that this kind of technology has been in use in countries like Australia, Austria, Belgium, Germany, Israel, the Netherlands, Taiwan, Singapore, South Africa, Switzerland, the UK and the United States.

I remember I had the pleasure of meeting Lord Jeffrey Archer, the famous author, a former member of the Thatcher government and a staunch Conservative. You couldn't get much more Conservative than Lord Jeffrey Archer. When he visited Toronto, I asked him: "Lord Jeffrey, we're trying to get this government to come to grips with the use of this technology to stop red light running. What are you doing in London, England, about red light running or this type of thing?" Lord Jeffrey Archer said they use it in London and it's quite successful. In fact, he said he thought it should be expanded even beyond its use in London, England. He said it's helped in London. I said, "We've got a Conservative government here in this province that's objecting to this technology being used." He said: "Listen, this is not a matter of Conservative, Liberal or whatever; this technology helps save lives. I encourage you to keep pushing the government to do the right thing and put in this technology."

I just wanted to throw that in as an anecdote, that this is beyond something of political stripe. It's people from all over the world who have been faced with the same problem we face in our cities, with road rage, with aggressive driving. There are solutions, in part, and this solution, in part, has been used successfully, as I said, in cities like London, England, New York City. Mayor Guiliani is a great exponent of it, and he's a Republican. He told Mayor Lastman to do it.

There's encouragement that this technology will help because of the track record of the cameras, but the cameras are not to be seen as the end-all of this problem. I've been telling people that. The congestion problems are very complex and growing in our big cities. I urge people and I urge municipal politicians who are looking at technology to ensure that the technology goes hand in hand with a massive public education campaign. I think all of us are guilty of being very anxious on the roads, streets and byways of this province. We all have to be reminded of

the responsibility of driving an automobile in this province. Whatever we can do in terms of our schools — I think road safety, car safety should be taught in elementary school and in high school as part of civic responsibility.

I think organizations like the provincial government, MTO, Canada Post, the city of Toronto, should make red light signal obeying enhancement mandatory as part of their employee training. In other words, part of getting their job and keeping their job is to take an awareness course about obeying signals. They are on the roads 24 hours a day and they should be leading advocates of slowing down at intersections. I hope part of this campaign throughout this province to tell people that red means stop is that municipalities, crown corporations, corporate entities like the courier companies, UPS or whoever they may be, the truck drivers, the Ontario association of transport drivers, all these organizations integrate the obeying of signals as an everyday part of doing business.

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That's a challenge that has to be put out by the government. We in opposition don't have the authority to do that. The government now has the wherewithal to challenge everyone, to make us all more aware of our responsibilities in driving safer and in obeying signals because of our responsibility and the consequences of an accident at intersections where unsuspecting drivers, cyclists or pedestrians are hit by people who are running that red light.

It is a very prolific problem. It is not a problem isolated to any part of the province; it is a problem throughout the world. It is very acute in Ontario and has been growing for the last number of years.

There is a lot of work to do. There is a lot of work that has been done. I hope municipalities all across this province look at the options of bringing this epidemic of red light running to a halt. I think it can be done. I think the public is very much onside with this, as they have been. It's a matter of the government finally getting up to speed with the general public on this, and then we've got it.

I just want to read into Hansard something which will help explain it. It will help people who are having debates about this in other parts of the province. It's an article entitled "The Technology: How it Works."

"Typically, a photo detection system comprises electromagnetic loops buried in the pavement, a terminal block that houses a microprocessor, and an industrial 35-mm camera atop a 15-foot pole. Cables connect the terminal block to the loops and the signal. The loops are buried six to eight feet past the stop line in each lane. When the light turns red, the system becomes active and the camera takes pictures when cars entering the intersection disturb the electromagnetic field over the loops. Generally, a 0.2- to 0.4-second gap is left between the signal turning red and the camera becoming active to allow vehicles already in an intersection to clear."

This helps explain the technology so people will not be confused by the technological aspects. Most systems shoot two pictures, one as a car crosses the loops and another one about a second later. Then what happens in most cases is that you get a ticket in the mail. You get a picture of your car — hopefully not your car, Madam Speaker — with the time, the date, the colour of the light and when you entered the intersection. You'll have a chance, I suspect, the way the government is going to work the regulations, as in most jurisdictions, to dispute that picture. You'll have a chance to challenge it or you'll accept it like another ticket, whatever it is.

I fervently believe the cameras will act as a deterrent. The money to pay for the cameras and the loops will come from the tickets. I know the government has said they will put the money in escrow while they get the provincial offences downloading thing straightened out. So the money will be there. Basically, the offenders pay for running the light. In most jurisdictions, they don't see this as a cash cow; they see it as a way of preventing accidents. That's where the money should go and should stay, paying for the technology.

The beauty of the technology is that you don't have to have a camera in each one of the boxes. You can change the camera from intersection to intersection. But the driver doesn't know whether the camera is in the box or not. So you can also have the so-called dummy cameras, which may not be active, but you, the driver, do not know.

It does work. It will save lives in this province, it will save accidents and it will save hundreds of millions of dollars in insurance fees, car repairs and hospital bills. Most of all, it will save the grief of families who have had to go through a red light runner's consequences in the past.

I want to say that we accept the government's coming to a realization that cameras are a good thing. We accept that. We want the government to go ahead. We also urge cities across this province to look at this seriously and take up this option. You'll help prevent a lot of unnecessary deaths and accidents.

Mr Tony Silipo (Dovercourt): I'm pleased to rise to put a few points on the record on this bill. I know a couple of my colleagues will also want to have some time. Although we are dealing with this bill in a fairly limited time frame, let me say to anybody following that this should in no way be an indication of anything other than the support that all of us bring to this issue. I want to particularly say that we are pleased that after we have pushed, cajoled, prodded and pushed again the government to do something on this, they finally have come forward.

As I said yesterday, let me also acknowledge tonight in this debate the work the member for Oakwood has done in bringing forward his private member's bill. I will give him the benefit of the doubt in terms of the other contradiction that the rest of his Liberal colleagues seem to be able to deal with, which was that they were opposed to photo-radar and yet are in favour of this. He wasn't around when we dealt with photo-radar so, as I say, I will be happy to give him the benefit of the doubt. But I want to say that I

have been very supportive and will continue to be of this initiative of red light cameras. I was particularly pleased to see the member for Oakwood bring forward his bill. I wish the government had acted on that, because it actually is a little bit tougher than what is here.

We are happy to support what the government has brought forward, because this enabling legislation will allow municipalities to go forward and put together the kind of enforcement mechanisms that they and many others have said they want. I know the government has come forward with a piece of legislation they claim — and in fact it does in the legalese — sets this up as a pilot project for two years, and that the legislation sunsets after that time. So technically we will have to review it, which is always a good thing. Whoever is here at that time will have to pass legislation to make this permanent in some fashion or other. I have no doubt that is going to happen.

I believe the issue of calling this a pilot project is simply the most convenient way for the Tory government of Mike Harris to get around the fact that they undid the photo-radar scheme that we put in place and could not get themselves philosophically or politically to a position where, even though many municipalities are telling them they should do this and implement it, they could justify that kind of turnaround, even though logic dictates that that kind of turnaround is exactly what is in the public good.

What we have here tonight is a piece of legislation that actually allows for red light cameras to be installed at various intersections. We have some concerns. I know that a number of the details of this are still to be set out in the regulations. We will continue to pay attention to what the government is going to do on this and to ensure that those issues are addressed in the regulations.

I know there are also some outstanding issues of funding which I've certainly pursued with the minister. Although I wish he had put those clarifications on the record, I understand that he's going to be fairly flexible in terms of the demands he will have of municipalities around the match, for example, that they are expected to make between the number of red light camera intersections versus the number of intersections where they will be expected to actually have police officers doing some kind of spot checking or enforcement in terms of people who might be potentially crossing the intersections on a red light.

As well, we've also raised the issue with the government and with the minister that the province has not yet turned over to the municipalities the Provincial Offences Act revenues that are owing to the municipalities under the new arrangements of the Who Does What downloading exercise. Again, I understand from the minister that those issues will be resolved, are being resolved, and the money that is now being held in escrow will find its way out to the municipalities. Let there be no mistake about this: While there is an infusion of money through the Insurance Bureau of Canada that will be made available, there will also likely be an infusion of money necessary from municipalities themselves. Even though

that is the case, I know that municipalities such as my own municipality here in the city of Toronto are eager to move on with this.

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Mayor Lastman and members of council have indicated time and again that they are prepared to roll with this. You will recall that some weeks ago, following a meeting between Mayor Lastman and the Minister of Transportation, Mayor Lastman indicated there had been some level of agreement reached to do, in effect, what we have now. At that point the minister said no, that had not been worked out. I can only assume that he still had to get approvals through the cabinet process, and I understand that. I don't want to be critical of the minister on that score because as a former cabinet minister I certainly understand the process that one has to go through in getting approval.

I just want to say on this issue that it is something that has been a long time in coming. It is something that certainly we would have wished to have done earlier. We would have wished the ability to have the bill out in committee for a short period of time to make sure there weren't any problems.

This is not the best way to deal with legislation. We had legislation introduced yesterday, as in this case, and we are approving it some 24 hours later without the benefit of ample time to look at it properly, to analyze it, and particularly to get it out to committee where we would have had the benefit of some useful input from the local municipalities, from people in the insurance industry, from people in the policing communities and many others who I think could have given us some good advice, and I have no doubt some advice that would have led to a piece of legislation that would have been even better, I say to the minister, than what we have in front of us tonight, because that has been the experience of the process around here.

Earlier today, speaking on another bill, I heard one of the government members proclaim the virtues of the committee process and getting bills out to committee. I think it was on the CFSA, on which we agreed earlier to pass second reading so that it can go out to committee, presumably during the break. At that point one of the government members was making the point, with which I concur, that any time government legislation has gone out to committee it's never come back in exactly the same format. In other words, we have always improved upon it. We have always made it stronger. We have always made it better. I have no doubt that would have happened in this case.

While we will give our consent tonight, we also need to be very clear about the fact that our strongest wish would have been to have had the opportunity to deal with this legislation in the proper format. Had the government seen fit to introduce this even a few weeks ago, let alone a few months ago when they should have introduced it, we would have the benefit of the bill going out to committee and the ability to look at it with some more care.

However, we will trust that the limited time we've had to analyze this is sufficient to at least set up this frame-

work, which the government can continue to call pilot projects as long as they want but which municipalities and others who are interested in this kind of enforcement mechanism being put in place understand to be in effect the beginnings of something that will assist in monitoring and hopefully limiting the number of people who go through red lights and, consequently, the number of people who either get injured or killed by virtue of those drivers going through red lights.

It is an issue that has been growing in importance because the number of incidents has been growing in number. As the number of cars in our cities continues to grow, we will also see, as we have seen, a growing impatience, it seems, among drivers. Those extra couple of seconds seem to make all the difference in the world to them to get through that light. I think people need to understand that when they do that, sometimes they put at peril not only their own life but the lives of many others — pedestrians and other people who may also be trying to get through those same intersections.

The ability to install these red light cameras will, if nothing else, act as a deterrent. I think the enforcement mechanism that supports it, the fines, the ability to identify the cars if not the drivers — and I know there is that option available to municipalities under the legislation, to put in the camera facilities that will allow the photographing of either the licence plate and/or whoever is driving the car.

I want to say to the government that however the municipalities choose to proceed with one of those two options, we will see an enforcement mechanism that will catch some of those drivers who will go through, but having that mechanism in place, in and of itself, will act as a serious deterrent to people and hopefully, through that, also as an education tool to remind drivers that no matter what kind of a hurry they're in, they can never be in such a hurry as to put in danger the lives of themselves and particularly other people who are going through those intersections.

We will give our support to this because we think it's necessary. It's late in coming, but better late than never. We want to see these red light cameras up as soon as possible. Certainly I want to see them here in my own municipality. I know the Dufferin-St Clair intersection, which is within my riding, is one of the main ones that we have continued to be concerned about. There are others throughout the city and indeed others in other cities in the province. We look forward to the implementation of this beginning in earnest in the new year.

An emergency alarm sounded.

The Acting Speaker: Further debate?

Mr David Christopherson (Hamilton Centre): I think all of us have had the experience of finishing a speech here on the floor of the Legislature and having somebody afterwards say, "Good speech" or "That was really hot," but I've got to tell you, I don't think any one of us has set off fire alarms with the speech that we've given. It also sounded like it was the bridge of the Enter-

prise. I don't know how much the microphones picked that up.

I'm also pleased to stand again — it's getting to be a very bad habit — in support of yet another piece of legislation.

Interjection.

Mr Christopherson: Well, it's been quite a few times. We're bailing them out again. They couldn't manage the House properly so at the last minute they needed us to give them quick approval to get these things through. But I am pleased to be here and to support this.

I think there are a lot of us who think well, on a personal level, of the Minister of Transportation, who found it actually painful to watch the question periods where this was being raised. The minister had to consistently stand up and offer up the flimsiest of excuses, in my opinion, for not doing this. I find the Minister of Transportation someone who not surprisingly ended up in cabinet. After you've been here a while you start to identify folks who you think are going to rise up quickly and will ascend to the cabinet level and I wasn't surprised at all to see it happen; obviously a very bright fellow.

It's somewhat worrisome to see him so involved in the right-wing philosophy of — your ability doesn't surprise me but it's worrisome to see someone with that much ability lost in that far-right quagmire. I don't know you well enough to know why. I'll write it off at this point to naïveté and ambition as opposed to a mean streak that deliberately leaves so many other people behind in the kind of philosophy you believe in. But I do think very much of the minister.

It was painful to watch because it was also so obvious that this was a step that any other government would have taken months ago. It didn't happen for a very simple reason: The government ran on a platform of eliminating photo-radar and they were worried about appearing hypocritical in approving virtually the same type of technology but in a different capacity. They wanted more than anything to avoid that tag of hypocrisy, and hence the minister standing up in question period after question period, looking so lame and offering up such lame excuses for not doing it.

I am not surprised, however, that we're at the point where you are moving on it. I'm surprised it took you so long, simply because for a party — the Harris Conservatives — that touts common sense, you so often show so little of it. Dragging your heels on this is one of those cases. I guess what really tipped the scale was when more and more communities came on side and more and more of their municipal counterparts started standing up and saying, in the wards that are parts of our ridings, "This is something that we want and something that our citizens need." Eventually the Tories caved and brought it in and they've couched it in a pilot project.

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The fact is that once it comes in, it's not going anywhere. In fact, I have no doubt that in the future photo-radar will be back, because it just makes so much sense. It has been tested in so many other locations around the

world, and it does save lives. It probably won't be this government — there's not much time left — but photo-radar will be a reality in Ontario simply because it is an application of new technology that does save lives and it makes a lot of common sense in my opinion.

I want to just go out on a bit of a limb. What I'm about to say now is not party policy — it hasn't been talked about — it's my own personal opinion. Personally, I think there's a little bit of room. I was interested to see the trial balloon that the government flew a little while ago about raising the speed limits, and I've got to tell you, I was surprised at the reaction — I thought it would be a populist move, and I suspect you did too or you wouldn't have done it — not just because people want to speed but because at the end of the day there was more support for photo-radar on the QEW than I expected.

My brother Mark drives for a living — he's a broker for Loomis — and I expected him to be all over me. He makes his living delivering parcels, and time and speed and distance are the three factors that dictate what his day is going to be like. I thought I'd hear from him big time, and I did. After it was in place for a couple of months, he threatened me within an inch of my life if we removed it, and the reason was that he felt so much more confident when he got up in the morning and got into his truck that there was a better chance he was going to come home to his wife and kids at the end of the day because the QEW was so much saner. I took a lot from that. It was a perspective and an approach I hadn't expected.

When the Minister of Transportation removed it, I heard from so many constituents who were so sad, really disheartened, because they had felt a higher comfort level on the QEW. That's a scary piece of highway to have to drive. I drive it a lot between Queen's Park and home all the time and it can be very frightening. There are people who won't drive it or won't drive during busy hours. It really did calm down.

I raise this because I don't think there's room there to increase the speed limits. Those are relatively narrow laneways. It doesn't have the same kind of buffer zones that a lot of the newer roadways do. This is not an area that I would suggest is open to it.

On the other hand, when I go to the other side of Toronto and go on the 401 east, I'll tell you, if you're sitting at the speed limit or even marginally over, as a lot of people do, depending on weather conditions, you're practically standing there, and these vehicles are whizzing by, and the majority of them in my opinion — and I'm not an expert — are going faster than the speed limit allows, but I don't get a sense that they're all reckless and dangerous.

As the OPP pointed out, when the weather conditions are right and the traffic flow is right, it does seem as if 110 or so — I'm sorry, the number is just off the top of my head — would not be unreasonable and really wouldn't increase. I thought to myself, if you do a proper study and then couple that with photo-radar and even allow the flexibility — we've now got the technology nailed down pretty good to show the electronic display

boards on highways. The OPP could literally set the speed depending on the day, the light availability, the traffic flow, the road conditions and of course the weather conditions. They could set the limit and people could adjust accordingly. But the enforcement would be that the photo-radar was there, and you don't beat that system. If you're breaking that law, it nails you.

I put that out. Again, it's not a party platform; that's strictly me speaking as one parliamentarian. But I think there's room to look in that area, to combine the technologies, combine the better road conditions, not only to lower the number of accidents but to make our highways more efficient, and for the short term, until people —

Mr Sean G. Conway (Renfrew North): A 10-kilometre increase in the speed limit is a terrifying prospect.

Mr Christopherson: I don't think so. That's what I'm saying, I don't think it is.

Mr Conway: I joke.

Mr Christopherson: Oh, I didn't hear the first part of it. I thought you were saying that —

Mr Conway: I said that a 10-kilometre increase is a terrifying prospect.

Mr Christopherson: You're being facetious is what you're telling me.

Mr Conway: Yes.

Mr Christopherson: I see. Well, that's my point exactly.

The reason it's absolutely necessary to couple it with the photo-radar is that, it's true, if you increase it by 10, that gives licence to those yahoos who are out there to go another 10 or 15 beyond the outrageous speeds they are going. No matter how fast the traffic flow goes over the speed limit, there are always those few individuals the minister was alluding to earlier who are going to drive dangerously, recklessly, and believe that somehow when they're behind the wheel they're above the law.

I'm suggesting that it's the coupling of the better roadways, the use of technology, the variable speed limits and the enforcement of photo-radar that may be an opportunity for major advancement. I'm strictly musing out loud, but this is to me part of this whole discussion.

I want to say that my community of Hamilton was one of those that requested this, and I know that our city council will be very pleased. Knowing the aldermen the way I do, I'm sure they'll move on this immediately and Hamilton will be one of those that will give you the first test results. I have no doubt that it's going to help in Hamilton, that it's going to slow people down. It will save lives. It will save money. It will make our streets safer for our kids, for our seniors, as well as people who are driving.

There's one thing that I do find rather curious, though, and I don't know whether it was part of your need to grasp at something to say during question period or whether you really mean it, but since I see it as a possibility here in your legislation, I guess you do mean it. I find it passing strange that you're looking at allowing not just the photographing of the licence plate but of the driver. I say

that as one of the ministers involved in the integrated safety program, the photo-radar program of our previous government, where we had incredible resistance from the privacy commissioner of Ontario who felt very strongly that it was an invasion of privacy to have the state taking photographs that would show an individual's face, and there were a whole lot of reasons why.

That was a major concern on the part of the privacy commissioner, and we spent a lot of time working with the manufacturers of the equipment so that we could offer assurance that the face wouldn't be photographed and that it would only be the licence plate, yet I hear no such concern on your part. Maybe there has been a change of thinking there. I see the minister nodding his head up and down, so maybe at some point he could advise me of that, because I know that was a major concern with the system we were looking at. The privacy commissioner felt very strongly about the state photographing individuals, notwithstanding that it's being done in a circumstance where they're violating a traffic law. I guess it was weighing the level of infraction of a traffic law versus the rights of a Canadian citizen to privacy, but again, maybe that has advanced somewhat in the research that the current government has done and that has changed.

As I wrap up, because one of my colleagues wanted an opportunity to speak and I see he is here in the House now, we are supporting this, we are allowing it be fast-tracked through, a further example of the fact that this opposition is prepared to be co-operative when legislation is in the public good; just like when we believe that you're hurting the public, we will go to extreme lengths to do everything we can to slow you down and stop you from doing that. I think it's a shame that it took so long.

On a personal level, I feel sorry for the minister, who I'm sure was pleading with his Premier and cabinet colleagues to come to their senses and recognize that that position couldn't be maintained. I don't think it speaks well at all about the importance of public safety in the scheme of the things this cabinet looks at when they have allowed all these weeks and months to go by. We could have had these test programs up and running, but because you feared looking hypocritical vis-à-vis photo-radar, you allowed it to drag on. I regret that. It's a real shame that has to be. I think to some degree each cabinet minister has to accept that there were more accidents and more people hurt because, for political reasons, this wasn't put in place sooner, which in my mind may also be, on a very much smaller scale, an example of something else that's happening in the world right now.

With all of that, I thank you for the opportunity to speak and allow my colleague to make a few remarks.

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Mr Gilles Bisson (Cochrane South): In the little bit of time that I have left, I want to make two or three points very quickly. I was part of the government, as was the former Solicitor General, that put in place photo-radar. At the time we put that initiative in place we said, as we do now — we're being consistent — that particular initiative saves lives.

I remember being in the House and listening to the position of the then Conservative third party, which was deathly opposed to the whole issue of photo-radar on the basis of the privacy issues. It's interesting to note at this point that the government has finally come to its senses. The Tory party has finally agreed with the previous NDP government that in the end photo-radar was a good idea and that you can use some of these technologies in an effective way to make our roads safer.

I congratulate the government for finally coming to its senses and realizing that they were not the 10 lost years, as the government likes to say in its mantra. In fact, there were a number of good laws and good initiatives that were put in place by the former government and the government before that. There was good policy work that was done as well as good economic work. That's the first point I want to make.

I also want to congratulate the Liberal Party for finally coming to its senses. I can't fault Mr Colle, because he wasn't here in the previous Parliament, but I remember the Liberal caucus between 1990 and 1995 being opposed to photo-radar and at that time saying it was the wrong thing to do, for the very same reason the Conservative caucus had back between 1990 and 1995, and that was the issue of privacy. It's nice to see that the Liberal Party has got on side; they've come over and they've finally accepted that the idea the NDP had in 1993-94 to put in place photo-radar was actually a good idea. It was a good way to use the technology so that in the end we can make our roads safer.

It's one of these things that you get to see in the Legislature every now and then, where a party comes up with a good idea; in this case, the Bob Rae NDP government under the safety initiative of the Ministry of Transportation and the Solicitor General. The policy was worked up, legislation was brought into the House and photo radar was introduced. The two opposition parties opposed it.

We find ourselves now in the dying moments of this Tory government's mandate. I think they're not going to come back as the government next time around; it will be a new government and hopefully it will be an NDP government. But this government, in its last days is starting to realize that you can use this technology in a way that respects citizens when it comes to the right to privacy, but also balancing that off against the right to make sure that our roads and highways are safer for the motoring public of Ontario. That's what I wanted to say.

The Acting Speaker: Mr Clement has moved second reading of Bill 102. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be referred for third reading? Agreed.

Hon Mr Clement: Madam Speaker, I believe we have unanimous consent to proceed with third reading of Bill 102 this evening.

The Acting Speaker: Is that agreed? Agreed.

Mr Bisson: On a point of order, Madam Speaker: I think this is a good thing and I support it, but I'm wondering, if we're in the spirit of doing unanimous

consent in going from second to third reading, if we would do the same with the Al McLean bill and agree to go from first to second reading at this particular point? I would ask for unanimous consent, considering we've done it —

The Acting Speaker: Is there unanimous consent? I heard a no.

RED LIGHT CAMERAS PILOT PROJECTS ACT, 1998

LOI DE 1998 SUR LES PROJETS PILOTES AYANT TRAIT AUX DISPOSITIFS PHOTOGRAPHIQUES RELIÉS AUX FEUX ROUGES

Mr Clement moved third reading of the following bill:

Bill 102, An Act to amend the Highway Traffic Act to permit pilot projects relating to red light cameras / *Projet de loi 102, Loi modifiant le Code de la route pour permettre les projets pilotes ayant trait aux dispositifs photographiques reliés aux feux rouges.*

Hon Tony Clement (Minister of Transportation): I will not take too much time. I've moved third reading. I think we've had a very enjoyable debate this evening. It appears there's a calm descending upon the Legislature on the eve of the festive season. I think that we are all resolved to —

Mr Bud Wildman (Algoma): How about a chorus of Silent Night?

Hon Mr Clement: Kumbaya, whatever would work. I believe there is a consensus that we can move forward with this piece of legislation.

I want to put on the record for the honourable member for Dovercourt's edification that we have a procedure resulting from Bill 108 having passed this Legislature to deal with the revenue issues. The revenue that is raised under the Provincial Offences Act is in escrow and we are proceeding to deal with the municipalities in such a way that they can gain access to that revenue upon certain agreements being reached so that the citizens of Ontario are guaranteed due process and fairness by the new handlers of those provincial offences. The revenue issue I think is under resolution.

I can again put on the record my intention to be flexible on the handling of these pilot projects with the municipalities because we do want to work with the municipalities to roll this out as soon as possible.

The Acting Speaker (Ms Marilyn Churley): Questions and comments?

Mr Sean G. Conway (Renfrew North): I just want to take the opportunity in the two minutes provided to clarify a point that has been raised by a number of my friends in the third party. Because it is true that I was probably the most strident opponent of the previous government's experiment —

Mr Wildman: Runciman, of course.

Mr Conway: Maybe the mad dog from Brockville — and I want to be clear that my objection —

The Acting Speaker: Member for Renfrew North, you have to withdraw that, and you must refer to the riding, as you know.

Mr Conway: Your wish, Madam Speaker, is my every command. I withdraw.

Mr Wildman: Withdraw the word "dog."

Mr Conway: I withdraw. I also want some time back.

My objection was primarily about money. I personally understand that there will be privacy concerns, and governments have to make those choices all the time. But as I said to the member for Hamilton Centre, I remember the day when I was driving and it was in the Peterborough area — and I see the member for Peterborough. It was about four years ago now when the OPP announced that they were going to set the little machine five kilometres over the speed limit.

I'll tell you, that was the day I was absolutely convinced the photo-radar experiment had a lot more to do with picking my pocket than it did with changing my behaviour, and I'm no saint on the road, let me tell you.

Interjection.

Mr Conway: I just want to make it very clear that when one is driving Highway 41 between Napanee and Pembroke under a clear moon on a November night at about 10 o'clock and not a bloody soul around except a few deer, some of these lectures about the congested traffic problems of the QEW fall rather by the wayside. I simply resent the suggestion that people like myself objected on privacy grounds. It was about the picking of my pocket and that got my attention.

Mr David Christopherson (Hamilton Centre): I would just comment that, first of all, the OPP sets that and they're not given direction by any government, at least they're not supposed to be, in terms of those sorts of things.

I find it surprising that the member would suggest that was the first time he was opposed to it. I'm sure he was on record before then as being opposed and conveniently an issue came along that he felt very strongly about personally. Normally the member is very clear and forthright and I'm feeling that's not as much the case this evening on this particular issue.

I've got to tell you up front I think it's because the Liberals are a little sensitive on this too because, as we would expect from Tweedledee and Tweedledum, they were just like the Tories in saying they were going to get rid of photo-radar. They have exactly the same kind of track record to be concerned about as the Tories do in this regard.

Let me just say to the Minister of Transportation in response to his comments that the calm that's descending over here is because we have an evening where the kind of legislation that we can support and do support is what's being brought up. Take something else from your little bag of tricks and watch the demeanour in this place change in a blink. I'll tell you, if you were prepared to be fair on taxation, fair on your health care policies, fair on education, fair in terms of protecting the environment, you'd get a lot more co-operation than you might think. It's because

you've attacked those various areas that are so crucial to the quality of life in Ontario that you get the resistance. When you do things like this that are the right thing to do, you will both get the credit for it and the support that you deserve for doing it. But when you do those other things, you will get the fights.

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Mr Gilles Bisson (Cochrane South): I speak first to the minister and his comments and I want to pick up on what the member for Hamilton raised, and that is the calm in here. I think you need to stress and understand where we're coming from.

An emergency alarm sounded.

Mr Bisson: Listen, the sirens are on. I'll tell you, the button has been pushed and the alarms have just gone on.

But if there is calm in this place, I think it's for the reason that the member raised, that we're debating legislation that all three parties can accept. There would not be that kind of calm if you were in here with a lot of other bills, about 90% of the ones you passed in the last three and a half years.

The calm that I sense on the other side, on the Conservative benches, is the calm before the storm that will be called the election. I really don't believe that as a result of that people are going to elect the Conservatives as a majority government in the next election. You have managed in the last three and a half years, four years by the time the election will be called, to deal with almost everything out there under the sun.

You've got property taxpayers who are mad at you. I've got people in my community who thought they were going to get a reduction in commercial assessment. Now we're finding out that in 1999 they're going to be paying more taxes than they paid in 1997 as a result of the latest bill the Minister of Finance has brought in to fix your assessment fiasco. You've got people in the education community upset, you've got people in the health care community upset, and I think that the people of Ontario, come the next election, are going to have a very difficult time voting Conservative when it comes to a lot of what you've done.

To the member for Renfrew North, who talks about deep pockets, the seriousness of it is that that was a safety initiative. Photo-radar had little to do with revenue. It was about trying to find a way to make our highways safer. I can attest to the fact, driving on the 400 series highways, that when photo-radar was in place, we saw much safer highways because speeds came down and in the end lives were saved. I'm proud to have been able to do that.

Mr Wildman: On a point of order, Madam Chair: Could we please have an explanation as to what these alarms are about? Is it because Richard Brennan is leaving this place or what?

The Acting Speaker: Perhaps I should take this opportunity to explain to people what is going on as it was explained to me. There was a fire alarm earlier. We were given the all-clear signal. They are trying to reset the fire alarm and there seems to be some problem doing that.

There is no danger but there is some problem with resetting it.

Minister of Transportation, you can sum up if you wish to.

Hon Mr Clement: I have no further comments, Madam Speaker.

The Acting Speaker: Further debate?

Mr Jean-Marc Lalonde (Prescott and Russell): I'm delighted to be part of this debate. I want to first congratulate the member for Oakwood on his speech. Also, he has been pushing to get that bill through since June of this year.

I'm pleased that the government has recognized the importance of the red light camera bill. In the past 12 months in this province over 25 lives were lost, caused by red light running. As was mentioned by the member for Oakwood, Mr Roger Laporte is the father of Michel, who got killed by a red light runner in 1997, leaving his wife, Ellen, and his three sons. Today Roger Laporte has launched an awareness project. As he said, this will not bring back his son, but he wants to save lives in the future.

The Ottawa-Carleton transportation commission is supporting the bill. They have gone further at their October meeting, including in the motion they passed that they decided to go ahead with having stickers printed that read, "This car stops at red lights." Every car under the jurisdiction of the Ottawa-Carleton municipal council will have this sticker just to show how supportive they are of this type of bill.

One month ago, just two blocks away from where Michel got killed, another fatal accident happened. Again there were some witnesses, apparently, but by the time it goes to court those witnesses might not want to appear in court because of the evidence of what could happen after. This red light camera bill will in the future permit police officers to have the evidence that a certain car has gone through a red light. In the past that was not available, and speaking to different officers when they hand out tickets to red light runners, the chances are 50-50 that they will not be found guilty because of lack of evidence. But today with this bill you would be going to court and you would have proper evidence in such cases as the two fatal accidents that happened on Innes Road in the municipality of Cumberland.

As the minister said a little while ago, 21% of all accidents in Ontario happen at red lights. It's costing insurance companies over \$9 billion a year, and who has to pay for that? All the people who own cars. By having this bill go through, we will definitely have savings for all car owners in this province.

Once again, I will definitely be supporting the bill.

The Acting Speaker: Questions and comments?

M. Bisson : Je veux féliciter le membre de Prescott et Russell d'être venu à la conclusion que toute la technologie de la caméra quand ça vient soit aux feux rouges soit à la vitesse est une bonne idée.

Moi, j'ai pensé, dans les années 1993-94, que M. Pouliot et le cabinet de M. Bob Rae avaient mis en place une politique qui, à mon avis, faisait beaucoup de

sens quant à la sécurité de nos autoroutes. Simplement dit, c'était d'utiliser des caméras attachées à l'équipement de radar pour pouvoir dire, «OK, si tu vas te promener sur une autoroute de la série 400 et que tu vas à toute vitesse, il y a une bonne chance que tu vas devoir payer.» Cela aidait à envoyer un message au monde que ce n'était pas une bonne idée de faire de la vitesse, et qu'ils avaient besoin de ralentir ou ils seraient poignés. Oui, il y a eu beaucoup de monde qui a été poigné au commencement, mais après, le monde s'y est habitué un peu et on a commencé à ralentir.

Je me rappelle que, peut-être une ou deux semaines après que cette technologie avait été installée sur la 427, je m'en allais de l'aéroport de Toronto. J'ai embarqué dans une voiture pour prendre la 427, et aussitôt que j'avais embarqué la 427 — moi, j'ai été habitué d'appuyer sur la pédale, puis tu fonces un peu pour être capable d'embarquer la 427 assez vite. Mais une fois embarqué, il m'a fallu mettre les freins parce que la vitesse de toute l'autoroute avait diminué par 10 à 15 kilomètres à l'heure. Cela m'a dit à ce temps-là que oui, on voyait que la vitesse avait ralenti.

Deuxièmement, ce qu'on a vu et ce qui est plus important, c'est qu'il y a eu moins d'accidents sur les autoroutes série 400 qu'auparavant. En d'autres mots, la technologie a marché. On a sauvé des vies, on a évité des accidents, et il y a eu moins de monde qui a été blessé à cause des accidents de vitesse.

Donc, comme j'ai dit, je félicite les libéraux d'avoir finalement tenu —

The Acting Speaker: Thank you. Questions and comments?

Mr Mike Colle (Oakwood): I want to thank the member for Prescott-Russell for his support of this bill and for his support of the efforts to bring red light cameras to fruition. He certainly went out of his way and lobbied the Ottawa-Carleton regional council and helped the Laporte family in their efforts, and I'm sure he'll continue to do that.

I know that some of the members here tonight tried to relive the photo-radar debate, but this is a different issue. I hope we understand that this is about a situation whereby innocent people have been getting killed and maimed and injured at intersections.

Mr Bisson: Yes, that's why we had photo-radar.

Mr Colle: I know that the member for Cochrane South would like to talk about old issues, but I came to this issue because nine innocent people were waiting for a streetcar at St Clair and Dufferin two and a half years ago, and I think most of us in that community said, "Sure, we're always fighting these traffic problems, but this time we're going to do something about it."

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That's where this bill comes from. It's a serious attempt by ordinary people to come to grips with a problem that was affecting their families, their friends and neighbourhoods. That's why this won such wide support across this province. There was one poll done that showed 80% of motorists supported red light cameras. That's the

kind of evidence this government cannot deny any longer. That's why they had to do it, because the public demanded it.

I think it's a good message to everyone out there who feel they can't fight city hall, they can't fight this government: that together you can make them do things and you can come up with good results. I encourage them to keep fighting and not to give up on issues like road safety.

The Acting Speaker: Member for Prescott-Russell, do you want to wrap up? No?

Further debate.

Mr John O'Toole (Durham East): Thanks for the opportunity just to comment. The member for Oakwood raised a concern. Road safety is an important initiative of our Minister of Transportation. I know I'm supportive of this bill. What it demonstrates is that this government is responsive to the people of Ontario, and so road safety is a high priority for the Minister of Transportation. I'm pleased to support it.

The Acting Speaker: Questions and comments?

Mr Bisson: To the member opposite on questions or comments — I've been given an opportunity. The member says it demonstrates that this government is listening and is trying to be responsive to the people of Ontario. What this recognizes is that the government has finally come to its senses and recognized that the NDP government previously, when it came to photo-radar, got it right. The government, at that time the Bob Rae government, put in place technology that was going to in the end save lives on the 400 series highways where photo-radar was installed, and that technology worked.

I've listened to the debate for the last year as there's been a call now on the part of this Legislature and also by municipal politicians for the government to put red light cameras on intersections where there are problems. Finally the government has come to its senses and has recognized that the very technology that was put in place by the NDP in 1994 was technology that worked and in the end saved lives. So bully, bully for the government. They finally figured it out.

The Acting Speaker: Questions and comments?

Member for Durham East, would you like to sum up?

Mr O'Toole: No.

The Acting Speaker: Further debate?

Mr Clement has moved third reading of Bill 102. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

COURTS OF JUSTICE
AMENDMENT ACT
(IMPROVED FAMILY COURT), 1998
LOI DE 1998 MODIFIANT LA LOI
SUR LES TRIBUNAUX JUDICIAIRES
(AMÉLIORATION DE LA COUR
DE LA FAMILLE)

Mr Harnick moved third reading of the following bill:

Bill 48, An Act to Improve Court Services for Families by Facilitating Expansion of the Family Court and to make other amendments to the Courts of Justice Act / *Projet de loi 48, Loi visant à améliorer les services fournis aux familles par les tribunaux en facilitant l'expansion de la Cour de la famille et apportant d'autres modifications à la Loi sur les tribunaux judiciaires.*

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I believe there is unanimous consent to debate this bill for one hour and to split the time equally between the parties.

The Acting Speaker (Ms Marilyn Churley): Is there agreement? Agreed.

Hon Mr Harnick: On December 4, I was pleased to announce that the government is expanding the Unified Family Court to 12 more communities to better serve Ontario families and better protect the interests of children. The new sites are Ottawa, Newmarket, Durham region, St Catharines, Cornwall, Peterborough, Cobourg, Lindsay, Brockville, Perth, L'Orignal and Bracebridge. With this expansion, the court will soon reach approximately 40% of Ontario residents.

The central purpose of Bill 48 is to support the expansion of the court by making minor adjustments to judicial administration. All members, I am confident, agree that the Unified Family Court represents a better way of delivering family law services, finding solutions to family disputes and reducing the emotional toll on children.

The Unified Family Court offers a number of significant advantages. The court addresses all aspects of family law, with jurisdiction over matters under both federal and provincial statutes. It therefore provides convenient and accessible service for families in crisis.

The Unified Family Court is based on a specialized bench with judges who have demonstrated expertise in family law. This model also provides access to mediation services to help families resolve disputes without resort to costly and time-consuming litigation. An impartial mediator helps the parties find common ground and keep the best interests of the children foremost in mind.

Finally, the court is guided by special procedures to help families resolve cases more quickly and less expensively.

For all these reasons, family law experts have come to a consensus that the Unified Family Court is the way of the future for the delivery of family law services.

The Ontario government is firmly committed to the goal of province-wide expansion of the Unified Family Court. I have called on the federal government to make it a priority to appoint more judges at the earliest opportunity so that the Unified Family Court can be extended to all Ontario communities. In the meantime, we will proceed with the current round of expansion. Our aim is to have the new courts operating by spring 1999.

In addition to expanding to new locations, the Ontario government is going to make the Unified Family Court model even better. We will offer family law information sessions in all Unified Family Court sites to assist the

parties to make informed decisions about how to resolve the dispute. We will also provide parent education sessions at all sites to help parents focus on the children's best interests. These additional services will complement family mediation, which is provided at the existing sites and will be offered at the new sites as well.

To strengthen the Unified Family Court model, we intend to further streamline the court's procedures. New family law rules were recently passed by the family rules committee and will soon go forward to cabinet.

Finally, our plan includes a number of improvements to judicial administration. The amendments are designed to ensure that the Unified Family Court operates as efficiently as possible and to ensure that Ontario obtains the maximum benefit from the judicial resources available.

It is these administrative changes that are the subject of Bill 48. The amendments confirm the authority of the Chief Justice of the General Division over the Unified Family Court and to fully integrate the court into the operating structure of the General Division. The bill establishes the office of senior judge of the family court to provide advice to the Chief Justice on issues affecting the Unified Family Court from a policy perspective. As well, the bill recognizes the constitutional authority of the Chief Justice to assign General Division judges into the Unified Family Court on a rotational basis.

In addition to these changes in judicial administration, Bill 48 provides that Young Offenders Act matters will be heard exclusively within the jurisdiction of the Provincial Division. Judges who deal with young offender cases every day tell us that these matters should be dealt with in the Provincial Division, as is currently the case in almost every county and district in Ontario and other provinces. The removal of Unified Family Court jurisdiction in Young Offenders Act matters will also free up judicial resources to permit wider expansion of the Unified Family Court.

On November 26, the standing committee on finance and economic affairs of the House held public hearings on Bill 48. A number of groups and individuals appeared, to provide a ringing endorsement of the bill and to underline the advantages to families, such as one-stop shopping in a single-level court.

Clearly, the Unified Family Court represents a better way of finding solutions to family disputes, one that puts children first. I call on all members to support this bill, to help bring the significant benefits of the Unified Family Court to more Ontario families.

Madam Speaker, I would like to conclude by wishing you and my fellow colleagues in the Legislature a happy and healthy holiday season, and the same of course to all Ontarians, particularly those who are watching tonight.

The Acting Speaker: Further debate.

Mr Sean G. Conway (Renfrew North): Thank you, Madam Speaker. I intend to share — it's not clear to me now what kind of time we've got here. What are we working with?

Interjection.

Mr Conway: Twenty-seven. I'll be sharing the time of the Liberal Party with my colleague the member for Kingston and The Islands.

Interjection.

Mr Conway: Pardon me?

The Acting Speaker: Order, please, member for Perth.

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Mr Conway: Well, I think you are a better judge of these things perhaps than some of the rest of us.

I want to say to the Attorney General this is good policy and it should and will be supported by myself as well as many other members.

Before I get to a couple of specific questions and concerns, I simply want to say that the Attorney General has been a very busy man lately in my part of the province, working very hard. I see that the other week he was in Cornwall officially opening the new provincial court building. They have quite a wonderful facility. The Attorney General must have been having a very tough day that day, and it's a tough job he's got. He was so beleaguered and so overworked he didn't seem to understand that John Cleary was the member of the Legislature for Cornwall city.

I was talking to a couple of my friends who were at the event and were rather upset, quite frankly. It's not fair to blame the Attorney General, I suppose, but the want of courtesy shown by the government of Ontario to the local member on that occasion — it's not something about which the local member would say anything publicly, but it reminds me of the worst of the crappy business of politics. Actually, by and large, we've graduated from that.

I can remember when I was first elected you would go to these events and it was laughable. Poor old Bradley here used to rant and rail about what used to happen to him in St Catharines. I never much mattered. If there were some kind of an event you just went, and if you weren't on the program, you just walked up and took the mike in the best Charlotte Whitton tradition.

I'm also glad to see the member for Victoria-Haliburton. I was reading the Lindsay Daily Post the other day and, by gosh, there he was, large as life, almost a full colour page of Davy Crockett announcing the Unified Family Court for Lindsay.

Hon Mr Harnick: It is not true, Sean.

Mr Conway: It may not be true, and I shouldn't necessarily blame you, but I'm going to tell you, my friends who were there were not very impressed, and they're big fans of the Attorney General. I don't know which minion or which functionary was responsible, but the story I heard was totally believable. Having been a minister, I tried not to do those things, and I know you wouldn't, Charlie. I just thought I'd make the point that it could be passed along to Mr Fagan or whoever was responsible for that inadvertent oversight.

Mr Toni Skarica (Wentworth North): On a point of order, Madam Speaker: It seems to me the member for Renfrew North is engaging in somewhat of a personal

attack against the Attorney General and is not talking about the bill at all.

Mr Conway: I am talking about events that involved the department of justice and the courts —

The Acting Speaker: Member for Renfrew North, I have a point of order here. I'm not so sure, from my view, that it was a personal attack, but if the member wants to withdraw or apologize, he has that opportunity.

Mr Conway: I will withdraw any suggestion that there was a personal attack on the Attorney General. I'm just reporting what actually happened.

Interjection.

Mr Conway: Well, listen, the newly altered member from — that's probably going to be personal, too. I'm really struck by the member for Wentworth North. He's been an arbiter of parliamentary etiquette ever since he joined the crime commission. I simply wanted to make the point that an event occurred in the department of justice down in Cornwall a couple of weeks ago that caused some concern among some people. This does relate in a way to what I want to talk about tonight because —

Interjection.

Mr Conway: I happened to be reading the Lindsay Daily Post, as I often do. It was hard to miss. The only bigger and brighter picture of the member for Victoria-Haliburton was the one with the Minister of Natural Resources when they were announcing some \$500 grant over in Beaverton, and it was an even bigger colour photograph. I'll tell you, that Conrad Black knows how to give an advertisement when he wants to give an advertisement. In all my years in politics, I don't think I ever got such coloured advertising on the front page of any Thomson or Conrad Black paper for what seemed to be not a large amount of money, though undoubtedly it was good work.

This is good policy and I support it. I want to congratulate the Attorney General for, among other things, his not inconsiderable courage in, as he does in schedule B of the bill, setting out to change or alter the nomenclature of the courts. Those of us who know judges and the courts know that no greater risk can any minister of justice ever take than to undertake to alter the language and the nomenclature of honourable judges.

Mr John Gerretsen (Kingston and The Islands): What are they called now, judges?

Mr Conway: I'm not going to use my time tonight. There are a variety. Do you remember that debate of 10 and 15 years ago? I can remember being lacerated, and more up in Sudbury from a number of my good friends who were judges, and boy, were they some upset about some changes to nomenclature. I want to encourage the sensibilities of the member for Wentworth North. I want to stand in my place tonight and give full credit to this Attorney General for his willingness to open that Pandora's box of nomenclature, as he does in schedule B of Bill 48, lest anyone wonder what it is I am talking about. That is part of this enterprise.

I want to say to the Attorney General that my primary concern with respect to Bill 48 has to do with a couple of

pockets that remain in eastern Ontario. I'm glad my pal from Belleville is here because I think the Attorney General would agree with me that nowhere have the agents of the departments of justice, provincially and federally, done a better —

An emergency alarm sounded.

Mr Conway: You know, you expect CNN to come live to tell you that some kind of an attack has been launched from the Red Sea or whatever.

At any rate, one of the very real accomplishments in the administration of justice in the last number of years has been the work that's been done in eastern Ontario, of which the Attorney General is well and fully aware, in terms of cleaning up backlogs and bringing about a better degree of efficiency and much smoother movement of cases through the system. He's talked about that.

One of the things I hear from my lawyer friends in places like Kingston and Hamilton is that, as the attorney mentioned in his remarks, the Unified Family Court does a very good job of making it just simply a lot smoother and a lot simpler for families and clients and providers to move cases through the system.

There is some surprise, Mr Attorney, that in eastern Ontario, where you've done some good work with this initiative, the announcements — I just have the materials that were sent out by the department of the Attorney General, dated December 4. You read that list rather quickly and there may be a slight change. According to the material that I have, Ottawa, L'Orignal, Cornwall, Brockville, Perth and Cobourg will now be part of the Unified Family Court. Kingston, as the member from there will indicate shortly, has already been in the Unified Family Court system for a couple of years.

What we are left with, I say to my friend from Hastings South, or I guess we now call it Quinte, is that we've got two pockets. We've got Belleville and Pembroke or Renfrew county, the only two parts of the region that will not be part of the family court. I gather, from usually reliable sources, that our friend the Attorney General did a very vigorous job in trying to apply the resources across the region, for the obvious reason that you want, particularly in the assignment of judges, to be able to say the whole region is covered and so we don't have a two-tiered system in any particular region. Well, we've got a two-tiered system.

My friend the local director of the family and children's services in the county of Renfrew and city of Pembroke, Mr Jerry Muldoon, as it happens wrote me just yesterday saying:

"Dear Sean:

With the recent announcement regarding unified family courts, I am very curious about the rationale for exclusion of Renfrew county from that process.

"Any help you can provide in telling me why we were left out would be much appreciated."

I just thought tonight it might be timely for the Attorney General to indicate to people in Renfrew county and Hastings why they are being left out, because they are the only two parts of the region. One of my sources, my old

friend and colleague Robert Stanley Kemp Welch QC, led a delegation from St Catharines, and the delegation was very determined that they should share in this expanded offering of the Unified Family Court. I have a high regard for Bob Welch. This may not be a fair representation of his activity in this respect, and all well and good that St Catharines is considered and has been approved, as I understand it.

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But it does seem to me that there is now going to be a problem. I just wonder if the attorney in his remarks could indicate what the rationale was and what he sees as the problems, because clearly lawyers, court officials and others in places like Pembroke and Belleville are seeing a difficulty, in the short term at least.

I want to digress again, in a spirit of bipartisan goodwill, and say what I've said privately to the Attorney General: that his recent appointment of Ms Jane Wilson of Renfrew as the new Family Court (Provincial Division) judge in our county has been enormously well received. I know Ms Wilson. I have known her for some time. I think I speak for not just the local bar but many in the community who would want me to say, "Well done, Mr Harnick, you have given us a very fine replacement for a very outstanding long-time family court judge," Judge Lorne Foran, who retired just a few months ago.

But, again, people who commend the appointment are left somewhat perplexed as to why we are not going to have a Unified Family Court in Pembroke and Belleville. I can imagine, for example, being a senior or supervising judge trying to deploy judicial resources across that region. In almost all these cases, you're going to be dealing with a Unified Family Court except in Renfrew county and in the Belleville area. That was essentially my concern about what is clearly a very good step in the right direction.

I would also ask the Attorney General, in his remarks, because I'm sure this will be of great interest to all, including my friend from Brockville, how Her Majesty is going to receive recommendations for whatever appointments are to be made in the name of this very good policy. Those of us who have been in the political service for some time would want to admit, perhaps a bit sheepishly, that few appointments are made in Her Majesty's name that attract the vigorous interest we find for judicial appointments. I can imagine that every bar association, certainly across my part of the province, including one I know in Leeds and Grenville, is excited at the possibilities that this very good initiative presents. I have to believe that the Minister of Justice for Canada and her provincial colleague in Ontario have some kind of understanding as to how these appointments are going to be made.

Interjection: They've probably been made.

Hon Robert W. Runciman (Solicitor General and Minister of Correctional Services): John's name is at the top of the list.

Interjection: Again?

Mr Conway: Well, as I said, the appointment in Renfrew was very good. I see that George Beatty has been

summoned to the judicial service in the Bracebridge area. I think that's undoubtedly being widely hailed in that part of central Ontario. George is well known for his community work, his legal abilities and, dare I say it, I think George has joined some of the rest of us in other levels of public service and activity. Let me say very clearly: That ought not to disqualify him from serving on the bench, as it didn't disqualify my old colleague Marietta Roberts and others I could think of.

But I imagine the excitement that must be around and about the legal and judicial circles as to not only how people are going to be styled in their titles but who is going to get what summons. So if the Attorney General, in his remarks at the conclusion of this third reading debate, cares to touch on any of those matters — I would say, in all seriousness, that the one about Pembroke and the Renfrew and Hastings concern, is obviously my primary concern.

As I take my seat and surrender the rest of the time to my friend from Kingston, I want to say seriously, and perhaps I was a little too quick to judge in the first remarks, I don't know what happened there in Cornwall. But whatever happened, the basic tenets of courtesy appeared not to have been shown to the local member, and it was commented upon by some of the people I know who were at the event and who are big fans of this Attorney General.

Mr Gerretsen: The Attorney General seems to be on a roll this month, when you think about it, the legal aid bill just the other day, and we also had the law society bill and now the courts of justice bill. That's three bills within the last week or so. He must really feel a sense of accomplishment once this bill passes.

I will not bother with the musings of the member for Renfrew North about the various appointments that ought to be made. I would rather deal with some of the issues that arise in this bill.

Mr Conway: Some of us are lawyers and others aren't.

Mr Gerretsen: That's correct, some of us are lawyers and others aren't. That's right. But I would like to talk about the concept itself, because I think the concept of a Unified Family Court is long overdue. Of course, we've had the court operating in Hamilton for almost 20 years, maybe even a bit longer than that. I almost have a tendency to look at these issues not so much from a lawyer's viewpoint but more from a consumer's viewpoint. What happens to an individual when they happen to be caught in circumstances where they are involved in a family law matter?

Let me first of all say that for anyone involved in those kinds of issues, it's a very traumatic experience. Back in the 1970s and early 1980s, I used to practise a fair amount of family law. As a lawyer, you have to be very much concerned with the trauma people go through when a family breaks up. To try to explain to people under those circumstances that for certain purposes they have to go to one level of court and for other purposes they have to go to the family court, it's very difficult to understand.

To the average person, whether they walk into a family court courtroom or a General Division courtroom — a county courtroom as they were called in those days — it's much the same. They're usually in different buildings. But they didn't understand why it was necessary that usually matters relating to support, custody and access were handled at the family court level, and matters of divorce, property settlements and separation of properties had to be dealt with at another level.

You could get into the whole argument with people that one lies within federal jurisdiction and the other lies within provincial jurisdiction. But the bottom line is that the system itself, to assist people in using the system to try to resolve their issues and the problems that were outstanding between the couple and what their future relationship was going to be for their children as far as custody and access were concerned, was always very difficult for people to understand. It was a system where I can quite often remember cases taking place with the same couple at the same time in the family court system and in the country court system. Of course, the general public saw this as just a manner in which lawyers could make more money, because they were in effect involved in two separate actions at the same time.

The notion of bringing this together in one court has been around for a long time, as I mentioned before. The Unified Family Court system, which started as a pilot project in Hamilton, and maybe the member from Hamilton can correct me, has been around at least 20 years, probably even longer than that. From what I've always heard, within the profession as well, it was a very successful project.

I often wondered why the system wasn't carried forward. That's when you get involved in the kinds of issues the member for Renfrew North was talking about, that the federal government very jealously wanted to protect the fact that it was appointing federal judges who operated in the county court system and of course the provincial Attorney General, not only the Attorney General but the system, wanted to really protect the jurisdiction and protect the turf that the provincial government had in the matter of appointing provincial court judges. Thank goodness that's gone, at least in this particular issue.

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I remember when the Attorney General gave his speech on second reading. He seemed to lay great emphasis on the fact that the federal Minister of Justice, through orders in council, had appointed only 17 new judges for the new Unified Family Court whereas the province had requested 22. He somehow seemed to take great issue with the federal Minister of Justice about that. To my way of thinking, if that's the biggest complaint he has, that there were only 17 appointed rather than the 22 they asked for, then let's try it out with the 17 first. It has taken 20 years for the one pilot project in Hamilton to be evaluated, and three or four years for the other system that has been operating in Kingston and Napanee and a couple of other areas in the province with the new Unified Family Court.

It's going to take some time to get it installed throughout the rest of the province.

I really hope that as soon as this new system gets up and running in the communities that he talked about, every effort will be made to make it province-wide as soon as possible. There is absolutely no reason why people in some counties will be able to take advantage of the unified system whereas people in other counties will still have to go through the old-fashioned system of saying: "What am I really asking for? If it's property division, I have to go to the General Division court, and if it's custody and access, more likely than not it's going to be done in the family court system." As a result of these two different systems we have, some people in Ontario are going to be paying more for their legal services than other people. I just don't think that is fair.

I will not get into the whole argument tonight about what's really been happening within the Attorney General's department as far as cuts in funding in various programs are concerned. He has taken great issue with me on that on a number of occasions here. Maybe he doesn't like to listen to the facts. I would just leave it this way with him: It is nice to set up all these systems, it is nice to make the changes necessary to legal aid, as we did the other night, but none of that really means anything in the long run if it isn't adequately resourced.

We have to deal with the reality of the situation. For whatever reason, there are more marriage breakdowns occurring in the province now than there were 10, 15 or 20 years ago. I guess there are fewer people getting married now as well, so maybe we'll see a turnaround the other way in years to come. I really don't know. The point is that the need for a Unified Family Court system is much greater than it was 10, 15 or 20 years ago because more and more people, for whatever reason, have to use the system a lot more than used to be the case at one time.

That is going to require resources, and I'm talking about staff people. Everybody always seems to think about judges, but it isn't just judges who are involved in these court systems. For every judge I suppose you have nine or 10 staff people. Think of the court reporters, the trial coordinators, all the clerical staff who are involved.

I can tell you that one of the main problems with respect to the Family Responsibility Office had nothing to do with the way the system was put into place, but it had all to do with the fact that there weren't an adequate number of people looking after the files that were in the system. The concept is a good one. If there's a support order outstanding, why shouldn't payments be made immediately from the employer into the system so there can be every assurance given that the other spouse or the other parent will get the support money as quickly as possible and with as little chance as possible of there being disruption? The system broke down — and it certainly broke down when all the regional offices were closed down — because there just weren't adequate resources there.

The same thing applies to the Unified Family Court system and to the legal aid system. We can argue exactly

how much money there should be in the system, whether \$130 million is enough or whether it should be \$180 million or whatever the amount is, but surely we cannot argue about the fact that no matter what system we put into place, we have to adequately resource it if we really want to make it meaningful to the individuals who have to use that system from time to time.

I see that my time is rapidly over. I think this is a good day for the people of Ontario. I hope the system in the communities he mentions will be up and running as quickly as possible. Maybe he could give us some sort of idea as to what the time lines are. I have no idea, when something gets announced here or in the communities that he talked about, are we talking about six months? Are we talking about a year? Are we talking about January 1? It would be interesting for the people in those communities, especially those people who require those services immediately, to know when they would be available.

I'm not trying to pin him down to a specific date in a specific community, but maybe he can give us some idea as to when the system will actually be up and running in those dozen or so communities he talked about where the new Unified Family Court system will now operate.

The Acting Speaker (Mr Jerry J. Ouellette): Further debate? We had divided the time.

Mrs Marion Boyd (London Centre): Thank you, Mr Speaker, for setting us straight about what we had agreed to. We're all a little tired.

Mr Conway: Mr Speaker, on a point of order: Perhaps we can agree to some consent at the end to give the Attorney General three or five minutes to respond to a number of questions.

The Acting Speaker: Agreed? Agreed.

Mr Bud Wildman (Algoma): I was going to say it depends on what he has to say.

Mrs Boyd: Bud, I don't think that condition has been put in place.

I'm pleased to have an opportunity to speak to third reading of this bill. I spoke extensively to second reading and would simply like, in a very brief way, to reiterate some of my comments.

First of all, I congratulate the Attorney General on having been able to persuade his federal counterparts to at least appoint the number of judges that have been appointed to enable the family court to expand. The family court is an extremely important mechanism for us to ensure that family law is appropriately enforced in this country, that disputes are settled by a court that is dedicated to ensuring that family law gets the attention it ought to have. Very often the more glamorous field of criminal law seems to absorb everybody's minds as the only part of the justice system, yet family law is probably more important to the average person than the criminal justice system ever is in terms of their personal life. We know that it affects many thousands of Ontarians every year.

The Attorney General will know that I am a very strong fan of having a dedicated family court because I believe the expertise that is needed to appropriately adjudicate the matters that come before the family court is a specializa-

tion, and the expertise that is gained case after case, the kind of competence that builds when you have your time and your energy dedicated to a particular field of law, really develops an expertise that is to the benefit of all those who come before the court.

The Attorney General also knows that I am very apprehensive about the move within the Courts of Justice Act amendments which enables the Chief Justice to rotate into the family court any justice from the General Division. My fear, obviously, is that over time that family law expertise may be diluted. Everyone who is assigned to the bench certainly has a history of practice in law and usually has a specialty, but I myself have attended the swearing-in of justices who have little or no experience in family law and who may have very valuable experience in other areas such as commercial law or criminal law. My whole point of supporting the family court is that you need that expertise in family law.

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We are very fortunate to have as the administrator of our General Division Mr Justice Patrick LeSage, a justice for whom I have a great deal of respect. I have spoken to him personally and he has assured me that while he is administering the court, it would not occur to him to rotate into one of these family courts anyone from the General Division who was lacking in experience in family law, lacking in a commitment to the practice of best-quality, best-practice family law. Knowing him as I do, I have absolutely no reason to fear that during his administration of the courts there would be a situation where someone would be rotated in who was either disinterested in family law or inexperienced in family law. So I have no problem with that.

But we all know that things change. This bill does not limit those rotated-in judges to those judges who have that interest and that competence, that commitment to family law. As the Attorney General knows, I urge that there be a limitation on that rotation in to those who have clearly a dedication to the field of family law, and unfortunately no amendment came forward.

I know that the Attorney General shares my concern that the family court remain a specialized court; I understand that. He believes that leaving that up to the ability of the Chief Justice to ensure that those who are rotated into the court have that experience is sufficient. I would say to him that given the constraints on the administration of justice in this province, given the very real problems that the justices are having accommodating in a timely fashion all the work they have to do, I worry that at some point this may not become the focus of whoever succeeds Mr Justice LeSage as the administrative Chief Justice. So that remains a concern.

My other concern that I spoke of was the decision of the Attorney General to put all young offenders matters before provincial court judges. As I said at second reading, I have great respect for provincial court judges and I am not at all suggesting that they are not able to deal with the criminal matters that come before them under the Young Offenders Act. In many jurisdictions, in fact in

most jurisdictions in the province, that is exactly the way young offenders matters are handled, and while some, particularly in the government, have criticized justices as they deal with young offenders matters, I think there is a real effort on the part of the provincial bench to be mindful of the special circumstances of young offenders, to be very aware of the requirements under the Young Offenders Act and to dispense justice in as fair and even a manner as possible.

However, when we expanded the family court to London, Barrie and Napanee, one of the things we did was say, "Let's put young offenders matters into the family court." We know that a huge percentage of people who come into contact with the criminal justice system as young offenders have also had a contact with the family court, because of issues around abuse and neglect, because of issues around separation and divorce, custody and access, because they have come under the protection of a children's aid society and been made crown wards.

My concern always has been that there appears to be one attitude, on the part certainly of the public and of some in this government, of great empathy, great sympathy towards children who find themselves caught in the middle of family law matters with little recognition that those same children often are the same children who appear in young offenders court and who, because of the experiences they've had, turn to unlawful means either to get attention when they feel that their matters are not being dealt with within the family or to exact revenge on parents who they feel have not appropriately nurtured them. We know that explanation is there in the criminal courts, in the young offenders courts all the time.

It was always our belief that it was important to build an expertise in all the justice issues that concern children, in the issues around custody and access, the issues around child support, the issues around crown wardship, the issues around child protection, the issues that are there when children are orphaned and there needs to be a disposition made in terms of guardianship. We felt those issues as well as the young offenders issues would be well served by a bench that was dedicated to matters that deal with family law as well, so that was what we decided to do.

I know that many on the bench disagreed with that, both the provincial bench and the General Division bench. In fact, the administrative justice in my own jurisdiction in London has consistently not supported putting young offenders matters into the family court. Although the family judges understand why it's important to do so, there aren't enough of them to deal with all the issues, and that whole problem of their being too busy and the provincial judges not being busy enough has been a workload issue. When you're trying to administer the courts within a very tight budget, I can understand why it has been the recommendation from both benches that the provincial court bench deal with young offenders matters.

I continue to believe that's not the right way for us to go, that we should be going in the other direction. The Attorney General knows that we have to disagree on this

matter even though it in no way takes away from the fact that we both believe that this direction of the expansion of the family court is an important direction for us to pursue.

I know that one of the ongoing rubs is the difficulty we have of getting a sufficient number of federally appointed family court justices. As we take this measure today, I hope that the federal Minister of Justice does not think that Ontario, by making these arrangements to rotate people in in order to expand the courts, is giving up on the notion that we need more family court-appointed justices. I don't believe that's the message the Attorney General wants to send at all.

I think he is continuing to say that Ontario, because of its population, because of the workload that's there in the courts, requires the federal government to move ahead with as many new appointments as possible in order to attain that better level of service in the family courts. I certainly hope all members of this House will continue to encourage the federal justice minister and the federal government to allocate sufficient resources, that we have the federally appointed family court judges dedicated to family law that we need so that this issue of rotation in becomes less of an issue as we are able to have those dedicated justices available to us.

We will certainly be supporting the bill and will be watching very carefully to see what the effects of these changes are on the operation of the family court.

The Acting Speaker: The Attorney General will have four minutes to summarize.

Hon Mr Harnick: I want to respond to a few of the remarks that were made by each of my colleagues who I appreciate very taking part in this debate.

First, I'd like to say to the member for Renfrew North, involving the opening of the Cornwall court, that it was certainly my impression that Mr Cleary, his colleague from Cornwall, was very appropriately acknowledged for the work he had done to ensure that a court was ultimately built in Cornwall, and if that was not the case, it was certainly not the intention from either me or the member for Stormont, Dundas and Glengarry, who was also present at the opening of that court.

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That being said, I want to respond to a couple of the issues very specifically that he raised about the expansion of the Unified Family Court. He specifically noted that the town of Renfrew was excluded. It was excluded quite simply because we were not given enough judges from the federal government to appoint judges to the Unified Family Court. We had expected 22 judges. We received 17 and we maximized the 17 by adding to it judges from the existing General Division who are already doing family work.

I couldn't agree with him more when you look and see in Ontario two different systems being used for family matters — the member from Kingston also remarked on this — that that is just not right. I would urge them in all seriousness to tell the Minister of Justice to make the appropriate number of appointments so that we can get this court expanded across the province as fast as we

possibly can. It is a very important thing to any person in this province going through the family court system.

It's interesting to note that when we were given 17 judges, our expectation was 22, and the cities of Halifax and Dartmouth were included in the same expansion and they received eight judges. The eight judges on the same per capita basis would have meant the equivalent of about 60 judges for Ontario. I think if you take a look at that, it's pretty astounding that Ontario has been left behind as a result of this.

As well, I want to say to the member for Renfrew North that the appointments that will be made to fill the Unified Family Court will be made by the Minister of Justice. However, there is a commitment by the Minister of Justice that 75% of the appointments will come from the existing provincial court in Ontario and, for that, we're very grateful.

To the member from Kingston, spring of 1999 is the targeted date for the opening of the unified family courts that we announced, and I think we will be on schedule with those. In terms of resources, I say to the member from Kingston, the provincial government is prepared to provide all of the resourcing that we must provide to open courts across the province as soon as possible. That includes mediation services, education services, information services, staff and everything that goes with it. So for that, I urge him to speak to the Minister of Justice.

To the member from London North — London South. No, I'm sorry, London Centre.

Mrs Boyd: North Centre next time.

Hon Mr Harnick: I'm running out of time. In terms of the young offender issue, she and I differ. It is an issue of philosophy. I believe the provincial court is the appropriate place. Insofar as the rotation of judges, the commitment is that they will be rotated for six-month periods. The senior judge of policy, who is a permanent fixture, will ensure that those policies are adhered to, and I think that is the appropriate safeguard.

I again thank my colleagues for taking part in this debate.

The Acting Speaker: Mr Harnick has moved third reading of Bill 48.

Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

VINTNERS QUALITY ALLIANCE ACT, 1998

LOI DE 1998 SUR LA SOCIÉTÉ APPELÉE VINTNERS QUALITY ALLIANCE

Mrs Ross, on behalf of Mr Tsubouchi, moved second reading of the following bill:

Bill 85, An Act to provide for the designation of a wine authority to establish an appellation of origin for Vintners Quality Alliance wine and to administer that system/Projet de loi 85, Loi prévoyant la désignation d'un office

des vins afin d'établir et d'administrer un système d'appellations d'origine pour les vins de la société appelée Vintners Quality Alliance.

Mrs Lillian Ross (Hamilton West): Ontario's wine industry is an outstanding example of what can be done when entrepreneurial skills are encouraged and supported. In just a few short years, our winemakers and grape growers have transformed the industry, to make Ontario one of the great winemaking regions of the world.

Ontario is now producing some of the best wines anywhere and our winemakers regularly win top honours at the most prestigious wine competitions in the world. Sales of Ontario wine are increasing every year in both Canada and overseas. In Ontario ice wine is winning growing acclaim and popularity around the world.

As a result, there are now more than 50 wineries in the province and the wine-producing regions of Niagara and the Lake Erie North Shore are becoming tourist destinations, much like the Napa Valley in California. Visitors to these regions can see how grapes are grown and how wine is made and can enjoy fine foods, locally produced and prepared, all of which means economic growth and an increasing number of jobs.

A very important part of this transformation was the formation by the industry in 1988 of the Vintners Quality Alliance. The VQA is dedicated to the making of premium quality wines from 100% locally produced grapes. In just 10 years, sales of VQA wines have grown to five million litres annually with a value of \$72 million. Industry figures show VQA wine sales are rising an average of 40% a year and account for 9% of Ontario's worldwide wine markets. VQA wines have scored spectacular successes in international competition and have changed consumer perceptions at home and abroad.

The VQA marque on the label assures consumers they are getting the very best quality wines made right here in Ontario. However, trade restrictions threaten to keep important markets closed to our winemakers. As of April 1, 1999, Canadian wines entering the European Community will require a certificate stating that they comply with the standards of designated wine-producing countries, including France, Italy and Germany. These standards include legislative rules governing how fine wines are made and labelled.

This bill, the Vintners Quality Alliance Act, proposes to legislate VQA standards. It will establish an appellation of origin system for Ontario wines, backed by the government, and will ensure the quality of every VQA wine produced and is a necessary precondition to addressing trade barriers. This is a vital step in ensuring the long-term credibility of the system the industry has spent a decade developing. The bill also establishes the not-for-profit wine authority to monitor and administer the new act and its regulations.

This legislation responds to industry requests to enshrine VQA standards in legislation. It will help to remove an obstacle to gaining access to international markets for VQA wines. It will protect the integrity of the VQA system and Ontario's growing reputation for

premium wines. It will strengthen the competitiveness of Ontario's wine industry and it will support regional economic development and job creation. I know the members from St Catharines and St Catharines-Brock who are in the House tonight will be particularly interested in having economic development grow and jobs created in their areas.

I urge all members to support this very important legislation that will bring our wineries into the 21st century.

The Acting Speaker (Mr Jerry J. Ouellette): Questions and comments?

Mr Gilles Bisson (Cochrane South): I have to say I was in the whip's office researching this very matter not more than an hour ago, looking at the difference between VQA and non-VQA wines, and I can tell you I much prefer VQA.

The Acting Speaker: Questions and comments? The member has two minutes to wrap up.

Mr John Gerretsen (Kingston and The Islands): What do you say to that?

Mrs Ross: There's not much to say, Mr Speaker, other than I'm sure the members of this House agree that we have the best wines grown anywhere in the country here in Ontario.

Mr Derwyn Shea (High Park-Swansea): Absolutely we do, unanimously.

The Acting Speaker: Further debate?

Mr James J. Bradley (St Catharines): I'm in the unenviable position of having to live up to a promise that I made some time ago to actually offer some praise on this particular occasion. I have to watch carefully how I word it because I always have this fear that if you say anything positive about the government, you're going to read it in a brochure somewhere. I don't have to worry about my friend Tom Froese, the member for St Catharines-Brock, using it in a brochure, but one of his successors, whoever that might be, seeking the Conservative nomination — I won't go into that one — might well want to use this.

2050

We were dealing with another piece of legislation which dealt with brew pubs a while ago, and I remember during that speech saying if you were to bring forward the VQA Act before the end of the session and we passed it, I would be praising that. I will offer this praise: I am pleased to see that you have capitulated to the pressure of the opposition to bring in a Vintners Quality Alliance Act today. It's important for the wine industry. Those of us who represent the Niagara region or southwestern Ontario are well aware of the very significant and positive changes that have taken place in the wine industry over the years.

Certainly, grape growers have endeavoured to produce the kind of wines through the grapes they produce that would be very popular with the consuming public not only here in Ontario, where we would expect that perhaps people would want to try our wines and find them to be pleasant and use our wines for a variety of reasons, but also beyond the borders of this province. There was a sense of wine snobbery out there for many years which said that if a wine was produced in Canada or, if I could

be more parochial, in the province of Ontario, somehow it couldn't possibly be as good as a European or Australian or South American wine. This was nonsense, of course. We knew it, though in the very early days of wine production, largely in the Niagara Peninsula then but in other parts of Ontario, the quality of wine was not what it is today.

One of the reasons we are able to market our wine in Ontario as being high quality was the establishment of the Vintners Quality Alliance by some very progressive-thinking people such as Don Ziraldo of Inniskillin wines and others who joined him. He of course, as you would know, was one of the winners of the Order of Canada. He was recognized in the winter of this year as one of the recipients of that particular award, again for the leadership that he's shown in business over the years. In fact, I watching a replay on CPaC one night at about 1:30 in the morning and I was watching him getting his award. That was about three months after he received it. It was something to see, and he certainly is deserving of it. But so many people have worked hard to meet the challenges that face the wine industry.

My friend from St Catharines-Brock, who has considerable experience, as does his family, in the farming business, in a previous incarnation in the financial institution business with the Niagara Credit Union where many loans were made to people in the agricultural business, would understand the genuine problems that were confronted by grape growers and wineries in Canada, particularly when the challenge of free trade came upon us and the challenges of NAFTA and challenges which were forced upon us by the General Agreement on Tariffs and Trade — the international community.

There was always some pressure put on us by particularly I think countries such as France, and we always felt, I think with justification, that there was an unfair advantage given to the European wines. There was heavy subsidization, and whether they want to agree that this is the case or not today, there's still heavy subsidization, direct or indirect, for European wines. All our grape growers and our wine makers have asked for is a fair shake and a level playing field. Indeed, they have worked hard to make their wines acceptable and marketable and sought after around the world.

When you have what you call a blind taste test — this is interesting with what I call the wine snobs out there who say automatically that if it's a French wine it's got to be the best, instead of an Ontario wine. When you cover the label up and have them try both, you find out that the Ontario wine more often than not is a pleasanter wine, a better wine, than many of its European competitors. Now, particularly the wines under the auspices of the Vintners Quality Alliance are winning international awards.

We had a very challenging time in the late 1980s with our grape growers. There was a program to pull out grapes which were used in wines and grape juices which were not selling very well. They were replaced with varieties which were much better for the making of wine. This move has vastly improved the quality of wine that we produce in

Ontario. So we need not apologize on any occasion for this quality of wine

I should go back to that to say there are a lot of people who don't like government intervention or government assistance. I can assure you that one of the significant reasons that grape growers and wineries were able to cope with some genuine challenges from abroad, from offshore, was because of the assistance, which was not a low amount of money, that was provided for the grape pull-out program and other assistance that could be provided for that transition period when free trade was coming into effect with the United States and NAFTA, and of course the General Agreement on Tariffs and Trade.

As a result, the wineries working in partnership with government in those days, the grape growers working in partnership with government, we were able to overcome that crisis at that time and now, even though there's still tough competition and a lot of issues out there, we're able to see our wines doing exceedingly well, and that's as it should be.

We've had in the Niagara Peninsula, and I believe this is certainly the case in southwestern Ontario, the growth of what we call cottage wineries, smaller wineries, not necessarily widespread production but wineries that have been set up where people actually come to visit them. They have a tour of a vineyard perhaps, if they have a vineyard adjacent to it, a tour of the winery. They often like to see ice wines. We hope this year the weather a little later on is going to be cold enough to be able to produce our high-quality ice wines which bring in a considerable amount of money.

I think what is always underrated in our society is the contribution that agriculture makes to our economy and spinoffs from agriculture to our economy. If a plant closes in a community and there are 5,000 people involved in that plant, it is considered to be a catastrophe. Governments run to assist them, as they should. But when it happens in agriculture it's wider spread and there tends to be less of a focus in one specific geographic area. For that reason, governments and the media and society all tend to be, I won't say less sympathetic, but less inclined to move very quickly.

I believe that everything we can do to make farming viable will ensure that we have a good industry carrying on, because farming is an important business for Ontario and we should never forget that. Particularly those of us who reside in urban areas and represent urban areas must understand that to be the case. Certainly the people who represent agricultural areas understand it exceedingly well. That is why, of course, we have to preserve the agricultural land that we have in places such as the Niagara Peninsula, that we not allow unfettered and unwise development on prime agricultural land and land where the climatic conditions are conducive to the growing of certain produce.

For instance, in the Niagara Peninsula, because of the specific difference — for instance, if you think of what I call the top of the escarpment and the bottom of the escarpment, you'll find that on average there are about 27

or 28 fewer growing days, frost-free days, over the top of the escarpment than at the bottom of the escarpment. We have a very special pocket, climatically speaking, in the Niagara region where we can grow tender fruit which will not sustain frost, because frost absolutely ruins them. For that reason, we have to protect those lands.

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I become worried when I hear that we want to expand highways to 12 lanes now. I've heard that proposal. I become concerned about the effect on agricultural land. I hope there is a diversion of some of the traffic which is now on the QEW to other routes, again to protect our agricultural land from development, because what happens is that the price of that agricultural land is driven up to unbelievably high levels. You'll find that developers will purchase agricultural lands, let them lie without any farming taking place on them and then, using what I call crackpot realism, will say, "Of course they're not being farmed." Perhaps the use is obnoxious or noxious, one of the two, and they tend to want municipalities to capitulate to those pressures for development.

We have to avoid what I call these widespread severances — some people call them economic severances — because what they represent in effect is a situation where you have death by 1,000 cuts for agricultural land and the farmers in our part of the province and other parts of the province.

We know that the Vinters Quality Alliance will be endorsed by government. Before, it had been there, but it was not officially recognized within legislation in this Legislature. While it's good for the selling of the product, the European competitors degrade us and say, "You can't call these quality products because you don't have this appellation condoned by the government of Ontario." We're going to have that under this legislation and that will take another argument away from those who wish to be argumentative about whether our wine should be recognized under the auspices of the Vinters Quality Alliance.

As well, some of the moves that have been made in the past have been helpful. I'm not in favour of widespread Sunday shopping around the province and never have been. That issue is behind us. I opposed it in this House. I would oppose it if it came up today, but that issue is behind us. However, I thought where you had family operations such as farms and you had produce available at roadside, that was fine. Of course with our wineries, which had the ultimate produce from those agricultural areas available for sale, it would be nice to have it available on the day of rest, Sunday, where people from Toronto, for instance, would come down to the Niagara Peninsula and make their purchases right at the wineries.

Another was the opportunity to use a credit card. Interestingly enough, our American friends would come over to make purchases — they've heard about our good wine — and they had to have cash. They could not use a credit card. They were allowed in the 1980s to begin to use a credit card at those wineries, and that was very helpful to them.

Every time we take a step that is helpful to the industry, I don't think it's protectionism; it's simply making that playing field level.

We have the Liquor Control Board of Ontario. I hope the next term any government has, whether it's Liberal, Conservative or NDP, it would not want to privatize the Liquor Control Board of Ontario. There are a variety of other arguments, but if I may focus because of this bill on one, even though from time to time the winemakers are not always happy about this, the one place where we can have some fair and even promotion of our product is in our own Liquor Control Board of Ontario stores, and that's important. I wasn't particularly delighted when they announced that those stores are going to be open on Sunday because they compete with the wineries which are right on-site, but it's an issue behind us. I'm not going to fight that one again, only to note the effect on the outlets for wine production.

We have that opportunity today. I challenge people all across Ontario and our country to try the wines produced in Ontario. We have each year the Niagara Grape and Wine Festival, supported by people across the Niagara Peninsula, and we're delighted to have that. It focuses attention on that. The Premier was in St Catharines at that time, along with the Minister of Consumer and Commercial Relations — I won't say for a photo opportunity — for the opportunity to flip some flapjacks and other things to do with a special breakfast associated with the official opening of the grape and wine festival. We were happy to be there and swat the bees away. Tom Froese and I were down at the market square on that occasion to help out and I think Frank Sheehan was there. Frank, I think you were there during the grape and wine festival to help out with that. It's a good time. People come together at that particular time.

If we speak to the people who are part of the wine industry, they have certain challenges they face and they have asked us to take certain action. This is another step. They will be delighted as well, and I'll be looking for it in the next budget from the province, to allow the wineries to sell their product directly to the restaurants and bars in Ontario. When the Treasurer gets up during his next budget, if there is another budget, and announces that, you won't need the script for the government members to clap; I'll be leading the applause on that particular occasion if that happens. So there's another challenge out there. I'll be happy to say again that you have accepted a recommendation from those of us in the opposition, and whenever you do that, I'm there to applaud that particular effort.

Mr Tom Froese (St Catharines-Brock): The trouble was we recommended that already.

Mr Bradley: I've recommended that many times in the House. I'm glad to see others have joined me in this particular effort. Let's see whether that will come to fruition. I'm sure it will come to fruition if I have anything to do with it in a very direct way. I hope in an indirect way there can be some influence on that. So I say to you, do

not diminish in your mind the importance of the grape and wine industry to this province.

My friend the government House leader, who was the Minister of Consumer and Commercial Relations, was the celebrity at the celebrity luncheon. I think he was the 15th person they had asked, but I didn't want to say that to him. I want to say he was available, and his speech, though a wee bit partisan, was nevertheless a delightful experience for those of us who paid our \$40 to hear him speak on that occasion. Knowing that the money wasn't going to the Progressive Conservative Party but rather to a good cause, I was more than happy to pay that \$40 to hear the minister speak.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I recognized you.

Mr Bradley: He recognized me. I think he mumbled my name out and there was some smattering of applause, but the real star of the show was the Minister of Consumer and Commercial Relations. He understood. I knew from the notes he read during his speech that he was fully immersed in the challenges to be met by the grape and wine industry and did say that.

I want to pay tribute to the Ontario Grape Growers' Marketing Board, John Neufeld from Niagara-on-the-Lake, who does an outstanding job with the grape growers' marketing board. We certainly want to pay tribute to the Ontario wine council as well, which has played a significant role in this. I have already phoned them to say that I've had this bill placed before the House this evening. I didn't know whether the government was going to bring it forward but I urged the government House leader to bring it forward. He did bring it forward, I won't say reluctantly. I'll strike out the word "reluctantly" because it wasn't there. He was delighted to bring it forward. I assured him there would not be a fulsome debate on it but that we would have to put on the record some of the issues that are important to those of us who represent the Niagara region.

To the members of this Legislature, I hope we have unanimous consent to move forward not only with this second reading, but I am delighted to see us move forward after second reading debate. We don't have to go into committee of the whole, as we should with the supply bill, but with this bill we're happy not to go to committee of the whole or any other committee, because I think there's a consensus on this bill. I'll be happy to go to third reading and have third reading without any debate. That's how urgently I believe we should be moving forward with this piece of legislation tonight.

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To our grape growers in this province, congratulations. To our wine-makers in the province, congratulations. We, the members of the Legislature, as a group endorse your efforts. We believe that the official designation and appellation given through this piece of legislation to the Vintners Quality Alliance will be helpful in making us even more competitive in fending off the wolves who want to do damage to our opportunity to put our product on the market with a level playing field.

With those remarks, I look forward to the passage of this piece of legislation this evening.

The Speaker (Hon Chris Stockwell): Questions and comments?

Mr Bisson: I just have a short question to the member for St Catharines. I want to know how he feels about the changes the government has made to land use policy in Ontario, first of all by way of the humongous changes we've seen to the Municipal Act that allow urban sprawl to work its way into some of the best agricultural land in Ontario, namely, the area around St Catharines. I want to know how he feels about that and if he thinks those policies are going to bode well for the winery industry over the long term.

I'd also like to know how he feels about the issue of the Ministry of Agriculture budget being cut to the extent that it was and what kind of impact he thinks that will have on the winery industry.

The third thing I want to know, in the end, is how he feels overall about what the environmental policies that this government has adopted, which seem to me to be very anti-environment, mean to the agricultural industry, specifically to the winery industry in the St Catharines area.

Mr Tim Hudak (Niagara South): I'm pleased to rise and comment on my colleague from St Catharines's earlier remarks. Those of us on this side of the House from what we call the Ontario wine council — Tom Froese, St Catharines-Brock; Frank Sheehan, Lincoln; Bart Maves, Niagara Falls; and of course often our leader, who won't let go of the issue, Jack Carroll, from Chatham-Kent — are very pleased to see this legislation go forward this evening. I have to say too, my commendations to Minister David Tsubouchi for being the minister who brought this forward to enshrine the VQA standards in law.

I certainly agree with the member for St Catharines in what he said. There's a bit of an economic miracle going on in the Niagara Peninsula on many fronts, but certainly when you look at the estate wineries in Lincoln, in Niagara-on-the-Lake, even in the Grimsby and Stoney Creek area, it's an incredible thing to behold. We look forward to many more successes in the future. In fact, I was in the Jordan area the other day, and Stoney Ridge has recently moved into the Lincoln area with expansion plans, to expand their line of products as well as offer a winery and restaurant. They're looking at what they've done with Cave Springs, Vineland Estates and Hillebrand, among others.

There are changes in education as well, with the program we're offering at Brock University and Niagara College, to train people in viticulture so they can find opportunities in this field and, as I said, continue to build on a minor economic miracle in the Niagara Peninsula. Those of us on this side of the House who are on the Ontario wine council are very pleased with this piece of legislation going through this evening.

Mrs Ross: I wanted to compliment the member for St Catharines. He certainly does care about his community, that's for sure, as do the other members of the Niagara

area, and understands the importance of the grape industry and the wine-producing industry to their area.

I was with Mr Froese when the institute of viticulture opened at Brock University. You can see that this industry is growing rapidly. It's becoming so much more important. Consumers out there are recognizing the importance of good-quality wines, and the VQA marque on the wines will assure them that the standards are the highest they can possibly be in Ontario.

The Speaker: Response?

Mr Bradley: Thank you for the comments on the remarks I made this evening. I want to answer some questions that were asked. I thank the two members from the government caucus for their compliments. Indeed, I want to underline what I think is a very significant transformation taking place in the Niagara Peninsula. One of the areas where that is happening — we're all boosters of the Niagara Peninsula — is certainly in the cottage wine industry, in the agritourism industry. All of us who represent the Niagara region are quite delighted to see that happening. I compliment the farmers and the wine-makers for what they have done in that regard.

To the member for Cochrane South who asked a couple of questions — am I concerned about the cutting of the Ministry of Agriculture budget? I certainly am concerned about that. I hope it doesn't have a detrimental effect on agricultural industries all across the province, but one can't help but believe that there may be a detrimental effect there.

Second, the change in land use policies concerns me very much. I can tell him that right on the border of St Catharines there are big developers who bought up the property which is agricultural land. They've driven the prices way up so that farmers wouldn't easily be able to buy that and now want to put developments on it. So we have this crawling urban sprawl taking place across the Niagara Peninsula. We want to put a stop to that. I prefer to see vineyards and orchards on that particular property and I look forward to that happening.

He was also probably wanting to ask about the Niagara Escarpment Commission and whether there were any problems with that. Since Norm Sterling had that snatched away from him and given to the Ministry of Natural Resources, I am very perturbed that we may see an erosion of the protection that would take place for some of the agricultural uses on the Niagara Escarpment.

The Speaker: Further debate?

Mr Bisson: I first want to put on the record that our caucus will be supporting this legislation. Simply put, this legislation tries to enshrine a system of rating of Ontario wines under the VQA system. If you wonder why that's important, I guess you'd have to understand something of the wine industry. The wine industry, as we know, is a very competitive industry in itself. It's not only Ontario wines being marketed here in Ontario; obviously, we're competing against wines from Chile, from the United States, from Italy, from France, from a number of countries. South Africa also makes some very good red wines, and white wines as well.

As you know, the Liquor Control Board of Ontario has put out — it's not driven by them, it's driven by the vintners alliance. They run what they call the VQA system, so that when you go into a LCBO store or you go into one in another province, to buy a wine that's made in Ontario and it has a VQA label on it, you know that wine has been rated according to a rating set up by the Vintners Quality Alliance, which says, "This is a pretty good wine." That's important because buyers of wine want to have a reasonable assurance when they go out and buy red or white wine, as it might be, that the wine is of quality. What does it mean for our growers? It means for our wineries here in Ontario, simply put, that they're able to sell that wine, if it has a VQA rating, as a premium wine, and basically compete in a different league.

Quite frankly, the VQA system has served the vintners of the province quite well. As the member for St Catharines has mentioned, we have some excellent wines here in Ontario, local grapes grown here in our province, made into wine and bottled here by our various vintners across the St Catharines area and others in the province. A number of those wines are VQA, and we know when we buy that wine and it has a VQA rating on it, we're buying a good wine.

The problem, however, is that this particular VQA rating is basically only a rating that is done by the Vintners Quality Alliance itself. The vintners, as I understand it, want to be in a position to say, "Our VQA ratings are recognized as ratings of quality wine," but more importantly, "as set out in legislation," so there's no tinkering around. You know that if the member for Nepean goes out to buy a bottle of red or white wine with the VQA rating, which I'm sure he does from time to time, he would know that there's no way of playing around with that VQA rating. In other words, if a vintner, for whatever reason, were to say, "I'm just going to put a VQA rating on that wine to try to market it as a good wine," when maybe it is not, in the end if the member for Nepean were to buy that false bottle of VQA wine, he would be in a position to say, "Hey, there's a law against this." That bodes well for the industry because it lets the market know that particular wine is very interesting — I was saying "interesting" because I was listening to the comments by the member.

The Speaker is having a pretty good discussion over there, and I got somewhat sidetracked. Thank you very much, Speaker, for coming to order. It's the first time a member, in his speech, has had to tell the Speaker to come to order.

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I was just saying that when a person goes out to buy wine, if you have the VQA rating system in legislation you will have a guarantee of knowing that you cannot monkey around with the VQA rating; in fact, you are buying good wine. For our wine industry that's very important because, as I said at the beginning, the wine industry which the Ontario vintners have to compete in is very competitive. By having this VQA rating regulated in legislation, you will know you are really getting the

quality that is put on that bottle. You will know that when you buy a VQA wine, you are getting a VQA wine.

I want to say to the members of the assembly, I love wine. Wine is probably one of the nicest juices ever invented by man.

Mr John R. Baird (Nepean): And Polkaroo.

Mr Bisson: I like Polkaroo too. I actually have a picture of you and me and Polkaroo. I just want to say that I'm a maker of wine; I make my own wine in my home. I have my own equipment to make wine. I recognize quite well the difference between a good and a bad wine. To me, as a consumer of wine, the VQA rating is always a good indication that I'm buying a good wine. So I feel a lot better as a consumer knowing that this VQA rating actually will be rated under law and there will be no monkeying around with that.

I want to say to the government, however, that we're here on this, probably the last debate before the next provincial election. There's probably a 60-40 chance that the government is not going to call the Legislature back before the next election. There's a fairly good chance, probably an 80% or 90% chance, that this Conservative government will no longer exist after the next provincial election. I want to put on the record, because this is probably —

Mr Baird: You'll be invigorated.

Mr Bisson: And you will not be invigorated. I really believe that the people of Ontario, come the next election, are going to have a very difficult time supporting your policies through an election.

As this is probably the last speech we'll have in this Parliament — that I intend, with the good graces of the people of Timmins-James Bay, the new riding, on coming back as a representative — I want to put a couple of things on the record as they pertain to agriculture and this particular VQA bill that we have before us.

We have seen this government, from the very beginning, introduce legislation that does not bode well for the agricultural industry and does not bode well for the vintners of Ontario. We have seen a number of pieces of legislation that have gone to make Ontario more business-friendly when it comes to the question of environmental regulation. Some would say, "What does environmental regulation have to do with what happens on the farm?" It has everything to do with what happens on the farm. For example, I remember early on in the life of this government, I believe in the fall of 1995, the Minister of Municipal Affairs, Mr Leach, introduced bill that basically changed the Municipal Act. In the changes to the Municipal Act, we changed a number of provincial policies as they apply to what happens within the land use planning policies of municipalities. One of the things we used to have in the old land use policies was the issue of trying to figure out ways to deal with urban sprawl, so we didn't have a whole bunch of construction going on, on the outskirts of communities, chewing up very valuable agricultural land when you have, in the centre of an existing community, land that could be developed more effectively and more efficiently.

I remember, during that particular debate, as the municipal affairs critic going around the province, travelling with my good friend the parliamentary assistant, Mr Hardeman — I can't remember your riding — and others who were purporting that this was a good bill and that municipalities needed the flexibility that this bill would offer. I remember back then saying: "I have some concerns. The purpose of the Legislature is to balance the needs of the developer against the needs of the municipality and the needs of the rural community."

I felt then, as I do now, that by moving towards allowing more urban sprawl in communities like Niagara Falls and that whole grape-growing area, we were making it far more possible for developers to pick up prime agricultural land in Ontario and start to take that out of the entire holdings that we have in Ontario when it comes to the agricultural industry.

I admit that's not going to happen overnight. It's not all of a sudden, because you get rid of these policies, that developers are going to run out and pave everything that's green under blacktop. That's obviously not going to happen. The point I make is that if you don't have good land use policies, you will end up in a situation, over a period of time, where you will start encroaching on agricultural land to the point that we'll be taking some very valuable land out of the land base that we have here in Ontario.

As the member for St Catharines has pointed out, the whole Niagara region is one of the better agricultural areas we have in Ontario. It's not the best; there are others out there, as we know. The Holland Marsh is another that is very productive; and places in southwestern Ontario, and northeastern and northern Ontario. But we know, particularly when it comes to the wine industry, the St Catharines-Niagara Falls area is very important to the industry in Ontario and our economy.

I want to put on the record that I was opposed in 1995 to the changes to the Municipal Act that led to allowing more urban sprawl, and I would hope that in the next Parliament, when we come back, we will be in a position as a party to revisit that as a government and try to strike a balance between the needs of the developers and the needs of the agricultural community, to make sure the land base is there in the future.

I also hearken back to a debate that happened probably in 1994. I can't remember exactly what bill it was, when we were the NDP government, but there was a bill, I think in 1993 or 1994, that dealt with issues that would have made it possible for people to sever land. I'm not sure if it was an agricultural bill or a municipal affairs bill, but the point I want to make is this: There were a number of people in Ontario who were really pressing our government to allow severances to happen in a bigger way. The idea was that if you had a family farm and you happened to have — I'll just give an example — 250 acres, the policy now, as I understand it, would allow one severance passed on to the second generation. What people were trying to push was the ability for the land owner to sever that 250 acres into smaller lots to make money, or to sever

them off to the family so a son, a daughter, a son-in-law, whoever, would be able to build their houses on that land.

I had people who reside within the agricultural community in my riding who lobbied me quite hard, when we were the government, to have our government move legislation to allow the severance of agricultural land. In that particular debate through the committee, the Conservative members on the committee — I believe Mr Murdoch and Mr Hodgson were two of the key players — were pushing our government to allow land severances, and tried to make big political capital in my area and in the Sudbury basin, my good friend Shelley Martel's riding as well, that our NDP government would not allow severances to happen to the extent that this particular group in the public wanted.

I remember back then resisting those calls to allow the severance of agricultural land, because I felt then as I do now, that you have to allow some severance to ensure that the second generation, if they want to work that farm, is able to build a home on the land without kicking off their parents, but you couldn't allow the severance of the land to happen for the sake of taking the land out of the land base and then allowing all kinds of things to happen, as far as development is concerned, that would take prime agricultural land out of the land base.

The point I make is this: The Conservatives back then, in the third party, were trying to push our government towards land severances. They made a solemn promise in communities like Sudbury, Sault Ste Marie, Thunder Bay and other places that when they got to government, if they did, they would move on allowing severances to happen in a fairly free way — I shouldn't say a "free way," but in a way that would be a lot more user-friendly to the person who wants the severance.

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I'm glad to note that in the end the government did not go that way. In fact, what we had was the two Conservative members on the committee making a big brouhaha and trying to whip people up about something that I thought was a bad idea at the time. In the end I imagine that the Minister of Agriculture probably had something to say about this, that it wasn't a good idea to be out there severing land for the sake of development.

If you sever land for the sake of a second generation to operate a farm, that's fine. But if you're going to sever the land on the basis of just allowing development, it would be a bad thing. So good people like the Minister of Agriculture and my friend the honourable member for Oxford I imagine had a play in this and eventually must have beaten back the member for Grey-Owen Sound and the Chair of Management Board from wanting to have this land severance.

I want to put on the record that the NDP government did not agree with the policy of opening unrestricted severances of agricultural land, and finally the Conservative government obviously came to its senses and didn't do it. I think that was the right thing, because it would have been dangerous when it came to the agricultural community.

The only other thing I want to say on the record of the government when it comes to agriculture is that we have seen over the life of this government a dismantling — not a dismantling; that wouldn't be fair. I want to be fair, and this is probably the last time the Minister of Agriculture will get a chance to listen to speeches from the government side. I'm really disappointed in the actions of the government when it comes to how the Ministry of Agriculture was treated. I remember the Minister of Agriculture, when he was a member of the third party, in opposition, making a solemn promise to the people of Ontario, I think it was in an interview I saw somewhere — I can't remember if it was on Focus Ontario — wherever it may have been, that the Ministry of Agriculture would be protected from any cuts, that we would not see any cuts to the Ministry of Agriculture if the Mike Harris third party was to get themselves elected as government.

I've got to say that it's been a pretty sorry record. The government has managed to do some very interesting things, when it comes to the Ministry of Agriculture, that bode badly for the people within the agricultural community. I want to put on the record one of the things they did: They closed the agricultural office in north-eastern Ontario, in my community of Matheson. Matheson is an agricultural community, as the Minister of Agriculture would know. We have seen under its stewardship this government seeing fit to shut down the ag rep's office in the community of Matheson. I think that was a mistake. The community utilized that office to a great extent, it was utilized by the farming community, and what we see now is that this government basically closed that office. I think it was a bad thing and short-sighted. In fact, we lost a very good citizen of our community, a former reeve of Matheson, Pierrette Blok, who ended up having to transfer out of Matheson because of their decision to close.

Je veux dire dans les deux dernières minutes que j'ai de parler sur ce projet de loi que notre caucus va supporter cette initiative pour mettre en place en législation un système qui va assurer pour le monde qui achète les vins dans la province de l'Ontario et autres un vin de bonne qualité —

Interjection: Maintenant.

M. Bisson : Il y a quelqu'un qui fait du vin dans le nord qui est dans le marché à travers la LCBO pour un autre débat une autre fois.

On supporte l'idée avec laquelle le gouvernement va de l'avant pour mettre en place ce système pour assurer que le «VQA» écrit sur la bouteille d'un vin de l'Ontario est là parce qu'on reconnaît que ce vin est fait en Ontario d'une manière de qualité qui va donner aux compagnies la possibilité de vendre leurs vins d'une manière peut-être plus intéressante dans le futur qu'on peut rêver.

I again say congratulations to the government for bringing forward this initiative. Overall, I think the VQA system is a good one. Putting it into legislation I think only strengthens that. I would just hearken back to an agenda on the part of this government that we've seen over the last three and a half years, a very sorry state when it

comes to the environmental record of this government and how it impacts on the agricultural community.

With that, Madam Speaker, I would like to thank you for this opportunity to debate it.

The Acting Speaker (Ms Marilyn Churley): Further debate?

Mr Sean G. Conway (Renfrew North): I want to join the debate on Bill 85 to say some things about business that I don't know a great deal about except that I consume VQA product from time to time. As a matter of fact, I was driving the other night and I was listening to someone on private radio say that there was a —

Mr Ted Chudleigh (Halton North): You weren't drinking and driving, were you?

Mr Conway: No, I actually wasn't drinking and driving, and I'm confident that I can say that in this modern Legislature none of us does. I can remember — oh, I'd better not say that or I'll really get poor old Toni Skarica in a high flight of moral indignation.

I was driving the other night and I actually heard somebody, I think from the wine or hospitality industry, talking about some contest they were running where — I think it was an Andy Brandt prize. Did you hear that?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): Yes, a special award.

Mr Conway: A special award. I thought, "God, Andy has really trumped us all," because he has not only done a good job over at the liquor board but he's got prizes now or special brands named in his honour.

Hon Mr Villeneuve: How can you argue with that, Sean?

Mr Conway: I don't want to argue about it. I want to make a couple of observations, because there is a great deal of credit owed to whomever in the agricultural and business communities down in the peninsula, I suspect.

One of my oldest friends in politics was a former member from Lincoln, a former mayor of Lincoln, Ross Hall. I can remember, Ross came here in the mid-1970s and was part, and Bob Welch was certainly perhaps an even more well-known patron, of the domestic Ontario wine industry.

I see Ibbitson here from the National Post. I think it was the other national newspaper, at some point back in the mid-1970s, that suggested editorially that the choice in Ontario wines was the choice between premium and unleaded. It was terrible, the things that used to be said about Ontario wines. People like Ross Hall, Bob Welch and Mel Swart tried their very best to argue the case, and it has to be said that this Legislature years ago voted potfuls of money, I mean vast sums of public money, by way of subsidies, direct and otherwise, to develop, to prop up, to expand, to do all kinds of good things for the Ontario wine industry.

Hon Mr Villeneuve: And it worked.

Mr Conway: Did it? I don't know.

Interjection.

Mr Conway: I will say to my friend the former head honcho from the Toronto Transit Commission, the now

minister of housing that used to be, that something has happened and something has worked.

Hon Cameron Jackson (Minister of Long-Term Care, minister responsible for seniors): We've stopped drinking Baby Duck —

Mr Conway: Someone across the way says, "We've stopped drinking Baby Duck." I say this quite seriously, because it is a major achievement for the private sector in this province, I suspect in the Niagara region, and I'd like to know some day — we don't have the opportunity tonight to enter into a lengthy discourse, but this is a very interesting economic question. We spent a lot of time and a lot of money with a lot of subsidy that from a lot of analysis didn't produce the results we had all wanted.

To be sure, as the Minister of Agriculture opined a moment ago, it was not without any beneficial effect, but it certainly did not produce the payoff we had expected. Tom Froese is here; Tom knows more about this than I do. I don't know whether it was having to come to terms with the FTA, whether it was some kind of new technology, whether it was some kind of new international market; I don't know what it was, but something very interesting happened. In a very short period of time we have gone from a situation where a lot of people, many in this Legislature, quietly derided the domestic product in wine. Oh, we would show up and say, *pro forma*, the right things, but we would quietly then go off to one of those government pharmacies known as the LCBO and buy the French or the —

Hon Mr Villeneuve: Government pharmacies? Come on.

Mr Conway: Listen, in my part of the world —

Hon Mr Villeneuve: No prescription needed.

2140

Mr Conway: Well, still some prescription, thanks to the Solicitor General and the Attorney General. But we now find ourselves, all of us, consuming substantially increased quantities of substantially improved domestic Ontario wine.

Hon Mr Villeneuve: And replacing the French wine.

Mr Conway: And replacing the French wines, as my friend from Moose Creek rightly observes.

Bradley, when he was here a moment ago — the member for St Catharines — made the point, and I suppose others have as well, that it's not just what's happening in the wine industry — and the VQA labelling is absolutely central to this, because there is now an understanding in the consuming public that there is a standard, that there is a good, minimum standard that bespeaks a quality that we can all be sure of. But there are other things happening. I was down in the peninsula not too long ago and I was out on the town, as they say, in Grimsby.

Hon Mr Villeneuve: Wow. Sean Conway was on the town.

Mr Conway: Listen, I'm just an innocent kid from the Ottawa Valley. When I get down in between the lights of St Catharines and Buffalo, I sometimes lose my way. But I was very impressed at some of the eateries —

Hon Al Leach (Minister of Municipal Affairs and Housing): How did you like the subway?

Mr Conway: I say to the minister of housing that used to be that the subway's still beyond my experience. Elevators and subways are still something that I have to come to terms with.

Seriously, the tourist business that's developing around the burgeoning Ontario wine industry is quite remarkable and impressive, and it's not just in this province. I was on private business in the Okanagan this past summer and out in places like Kelowna and Summerland and Penticton it was astonishing to me the thousands of people one would meet on a sunny summer afternoon going to the local wineries, going to the restaurants that are attached to those wineries. In the case of British Columbia, I was struck by the fact that the BC natural resources department had linked up a number of excursions where you would go on an outing and you'd go for a hike in a provincial park, and then you would go down to the winery and have a little bit to drink, and then obviously something substantial and sobering to eat. I was really staggered by the number of people that I was seeing in small-town British Columbia — a major stimulus to the local tourist economy.

Again, that certainly has been my experience in my limited travels in that connection in the Niagara Peninsula. Tom, what's that restaurant, Top of the Twenty?

Mr Froese: On the Twenty.

Mr Conway: On the Twenty. That is a very impressive establishment. Being a member of the Legislature, I can't afford visits to a place like that too often, but I'm told by my ministerial friends that it can be habit-forming, and it should be, because it's a very delightful experience.

I simply make the point in supporting Bill 85 that we've come a long way. We've come a very long way in the last 25 or 30 years from those days when we would be voting these subsidies and hearing from the Globe and Mail and others that we were subsidizing in a way that offended every good trade principle that the governments of Canada and Ontario had subscribed to and not creating a kind of environment that we said we wanted.

Hon Mr Villeneuve: But the FDA brought all that about.

Mr Conway: The Minister of Agriculture offers a very helpful aside; it may very well have been. He says it was the FDA that changed the environment. I think many of the rest of us in other parts of the province — when I look, for example, at my part of Ontario, where we have an old and established resource economy, largely forestry, we've got some challenges in coming to terms with some of the current trade barriers and trade practices. One of the questions —

Interjections.

Mr Conway: Well, it's just too bad, I say to the government whip, that we're going to debate a few things here tonight. I have no intentions of prolonging things unduly, but I have been keeping very careful track of the agreements, and this is an important bill because this is an important success that we celebrate.

I make the point in conclusion that there may be other sectors of the Ontario economy that have something to learn from the Ontario wine industry, and I'm not so sure that one of them isn't in my own area. When I look, for example, at the forest economy and some of the ongoing problems that it faces, I often think maybe we should get somebody up from the Niagara area and say: "All right, you people had your backs to the wall and to your great credit you not only endured but you prevailed. You've succeeded in a very impressive and successful way."

We celebrate that with Bill 85, and we should. Those of us in the opposition are often told that we spend too much of our time complaining. We're here tonight to say, "Three cheers to this industry." You have done very good work and we want to give you a legislative endorsement and support for more of that work.

I'm very proud to stand here and say one of our old colleagues, Andy Brandt, has played a very helpful role in moving this along, but so have hundreds of other in the private sector, including many in the agricultural communities that are represented by my colleagues from the peninsula. I say again that this is an industry that has really turned itself around.

Interjection.

Mr Conway: The member from Lanark has something to say about my sobriety?

I simply say that there may be some very good lessons to be learned in other parts of the Ontario economy and I would encourage the ministries of agriculture and economic development and trade not to be shy about broadcasting the essence and the nature of this success elsewhere in the Ontario marketplace.

The Acting Speaker: Questions and comments? Further debate?

Mrs Ross has moved second reading of Bill 85. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

CITY OF TORONTO XXIX SUMMER OLYMPIC GAMES BID ENDORSEMENT ACT, 1998

LOI DE 1998 APPUYANT LA CANDIDATURE DE LA CITÉ DE TORONTO CONCERNANT LES XXIX^e JEUX OLYMPIQUES D'ÉTÉ

Mr Kells moved third reading of the following bill:

Bill 77, An Act to endorse the proposed bid of the City of Toronto to host the XXIX Summer Olympic Games / Projet de loi 77, Loi visant à appuyer la candidature que se propose de présenter la cité de Toronto pour accueillir les XXIX^e Jeux olympiques d'été.

Mr Morley Kells (Etobicoke-Lakeshore): As the members of the House may appreciate, it has not been a great week for the Olympic family; nevertheless, the Toronto bid is moving forward very strongly. We

understand that there are these problems in how you gain acceptance for the games.

I can assure the members of the House that the thrust of the Toronto bid for the Olympics is based on moving forward with one thing in mind: that we will not be playing any shenanigans in regard to the bid. It will be a straightforward, honest bid. Should we be successful, that's fine, and should we not be successful, then we'll have to live with that.

I want to say to the members of the House that I certainly appreciate the support from the opposition parties and the fact that even in the concerns that you have about the possible problems with shelter, you've couched those in terms of support for what we're trying to do. I can assure you, from my point of view and from that of the office of the Olympics Commissioner, we've taken your concerns into our understanding of what we're trying to do and we will move forward with that in mind.

2150

Mr James J. Bradley (St Catharines): I'd like to say briefly that we in this House are unanimous in our support of the Olympic bid for the city of Toronto and indeed for other areas. At the risk of sounding parochial, we could expect perhaps that we would see the rowing events taking place on the Royal Canadian Henley Regatta course in the city of St Catharines, which will be hosting the World Rowing Championships in late August 1999.

We are delighted to see the member bring forward the bill, and we're delighted to assist in having it go through all three readings in this session of the Legislature.

Mr Tony Silipo (Dovercourt): Briefly, to indicate our support for this bill also and to express our appreciation for the manner in which Mr Kells, as the commissioner for the government on this issue, has carried forward his duties to date. We hope and are assured that he will continue to take seriously the concerns that we and others have expressed, as he has indicated tonight. We're happy to continue to give our support to the Olympic bid.

Mr Sean G. Conway (Renfrew North): Very briefly, I want to wish my friend from Etobicoke all the success in his very special undertaking. He is a very accomplished athlete, and I want to say just a word of caution. Jean Drapeau delivered a baby in this exercise. We wish our friend from Etobicoke good luck and better results.

Mr Kells: In response may I very briefly repeat myself and say that I certainly appreciate the good wishes that have come forth from the other side of the House. We will endeavour, as the weeks and months go by, to live up to your admonitions to do best, and thank you again.

The Acting Speaker (Ms Marilyn Churley): Mr Kells has moved third reading of Bill 77. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): Madam Speaker, I believe I have unanimous consent to proceed this evening with third reading of Bill 97, standing in the name of Mr Silipo.

The Acting Speaker: Agreed? Agreed.

HUMMINGBIRD PERFORMING ARTS
CENTRE
CORPORATION ACT, 1998

LOI DE 1998 SUR LA SOCIÉTÉ
DU CENTRE HUMMINGBIRD
DES ARTS D'INTERPRÉTATION

Mr Silipo moved third reading of the following bill:

Bill 97, An Act to establish the Hummingbird Performing Arts Centre Corporation / Projet de loi 97, Loi créant la Société du Centre Hummingbird des arts d'interprétation.

Mr Tony Silipo (Dovercourt): Briefly, to express again, as I had the chance to do this morning when we had unanimous support for this bill on second reading, my appreciation to all three parties for their support, and particularly to the Minister of Municipal Affairs, who has facilitated this bill going through. I know the good people from the Hummingbird Centre, some of whom have come back tonight to watch this happen, who have been working at this for a couple of years, are delighted to see this initiative taken that will establish the centre as an independent entity separate from the city of Toronto.

The Acting Speaker (Ms Marilyn Churley): Further debate?

Seeing none, Mr Silipo has moved third reading of Bill 97. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): Madam Speaker, I believe we have unanimous consent to call orders 59 and 60 together, so they can be moved and debated concurrently relating to Pr bills.

The Acting Speaker: Is there consent? Agreed.

TOWN OF RICHMOND HILL ACT, 1998

Mr Klees moved second reading of the following bill:

Bill Pr23, An Act respecting The Corporation of the Town of Richmond Hill.

The Acting Speaker (Ms Marilyn Churley): Is it the pleasure of the House that the motion carry? Carried.

Mr Klees moved third reading of the following bill:

Bill Pr23, An Act respecting The Corporation of the Town of Richmond Hill.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

ONTARIO ASSOCIATION OF
CERTIFIED ENGINEERING TECHNICIANS
AND TECHNOLOGISTS ACT, 1998

Mr Baird moved second reading of the following bill:

Bill Pr25, An Act respecting the Ontario Association of Certified Engineering Technicians and Technologists.

The Acting Speaker (Ms Marilyn Churley): Is it the pleasure of the House that the motion carry? Carried.

Mr Baird moved third reading of the following bill:

Bill Pr25, An Act respecting the Ontario Association of Certified Engineering Technicians and Technologists.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): Madam Speaker, I have, as you know, two motions and we have third reading of the vintners' act. I'm going to move the first motion at this time, relating to prorogation of the House, and then revert to the vintners' act after.

STATUS OF BUSINESS

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I move:

That, notwithstanding the prorogation of the House,

(i) all government bills, except Bill 61, An Act to extend the deadlines for appealing property assessments and for giving certain notices relating to taxes and charges on properties with gross leases;

(ii) all private members' bills; and

(iii) all private bills;

remaining on the Orders and Notices paper at the prorogation of the second session of this Parliament be continued and placed on the Orders and Notices paper of the second sessional day of the third session of the 36th Parliament at the same stage of business for the House and its committees as at prorogation; and

That the order of precedence for private members' public business be continued in the third session of the 36th Parliament.

Madam Speaker, I have no debate other than to say that this just holds over these bills after we prorogue this evening, hopefully, and that these bills will remain in place.

It's only fair to the private members that the bills within this draw of private members be held over. The private members' draw is going to remain in order. Private members who have not had the opportunity to put forward a private member's bill will have that opportunity in the next session. We didn't think it was fair to deny those people that, but we didn't think it was fair for those who had already gone through the process not to have their bills held over into the next session.

Mr Sean G. Conway (Renfrew North): I have much to say on this motion and I'm delighted to have the audience that I have. If anyone has some business to

attend to, they can come back in 45 minutes or an hour, because this matter will be under debate.

I understand everybody's instinct, and do you know what? It's mine as well. You all want to go home, and I understand it as much as everyone. As I said to this House yesterday, I will go home, but I want a vote on a rather important matter before we go home.

We as a Legislature, quite rightly, just gave to our friend from Dovercourt in one day second and third reading of his initiative, the Hummingbird bill. We did it like that.

The Minister of the Environment, the government House leader, has now presented the motion for prorogation. He's done so in a very clever way — actually, it's not that clever. And poor old Tom Froese and others are wondering, "What about third reading of Bill 85?" Let me tell you, I would have much preferred that we move directly to third reading of Bill 85, the vintners' act, and I hope we don't leave without granting third and final reading to Bill 85, because we should do that. It's good policy; it's unanimously endorsed by everyone in this House. But the government House leader has put a motion, and he has put it in a way that seeks to take advantage of the fact that the hour is late, the session nearly at an end, and for all we know, this may be the last day that we meet before the writs for the next general election are issued. I'm not here to complain about that either, because that is rightly the prerogative of the first minister.

2200

But I happen to be here tonight as a member of this Legislature, with opinions and with duties, and one of the most important duties I have to perform is to vote supply, and I don't have before me in the motion the supply bill that I want. We have completed debate on all of the estimates contained in the supply bill, the appropriation bill, and let me tell you the time is now to stand in our places and vote supply. That can and should be done before we prorogue, without any more debate, even on my motion. I'm quite prepared to say that. We've had the debate. I've done my share of talking, and I'm quite prepared to say I've said my piece, but I want my vote.

It's very easy for me to come tonight and assent to the good bill standing in the name of Mr Silipo, the member for Dovercourt. I'm delighted to be here tonight and to join the members for Lincoln and St Catharines-Brock and the member from St Catharines city and say, "Isn't Bill 85 a good thing, and should we not agree?" Yes, we should, and not just on second reading, as I said a moment ago, but on third reading as well.

But we are not doing our duty, I say to this House, if we walk out of here tonight and we do not deal with the supply matter. I have no objection, none whatsoever, if the supply bill is voted on and I lose my point. I understand that in these matters there is not likely going to be on any matter, particularly of the kind involved with the appropriation bill, where we're voting approximately \$52.4 billion of public monies — but I want the vote. I want this House to pronounce itself on supply, and it's not

good enough, I say to the government House leader and my friends on the treasury bench —

Mr Bert Johnson (Perth): How about your own House leader?

Mr Conway: If you want to join the debate, I say to the Deputy Speaker, you are more than welcome to do so. You are a lively participant in most matters when you are not ably adjudicating as Deputy Speaker, and I would be delighted not only to have the wisdom of your words but the clarity of your position and the standing of your vote, and I'm not being disingenuous when I say this.

This House has a duty to perform, and that duty, in my view, is to deal with the supply bill. To shunt it aside and ship it off and hope that it goes away is the coward's course. And I don't think of my colleagues on any side as cowards, and I certainly don't want to have to have any evidence before me that suggests that, particularly at this point in time, when as I said yesterday, there has been a very consistent message offered from the treasury bench especially that the time for probity in public finances, the time for more accountability on the part of elected officials, is now.

We have had more than one member of the government caucus tell us, and tell us colourfully and tell us powerfully, that we should be embracing referenda legislation as a methodology to hold our feet to the fire. We had from the first minister himself earlier this week a statement of intent. I suppose it's now sitting on the order paper — legislation to ban certain kinds of behaviour by future governments. That's entirely within the right of the government to offer, and at some point this Legislature or a subsequent Legislature is going to have to dispose of those matters.

But how, I say to my friends, how are we going to walk out of here tonight and hold our heads high if we run away from the matter that is material to my amendment? I ask my friends, including my good friend from Parry Sound. Listen, I have been the government House leader and I've got some sympathy tonight for Norm Sterling. I'm sure he's about at the end of his tether. He has had enough of cabinet ministers and deputy ministers and ministerial aides telling him what he needs to go and when he needs to do it and how he needs to do it. I suspect even he has had the odd barking command from the chancellor of the exchequer.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): He's had enough of you.

Mr Conway: The member says he has had enough of me, and I understand that as well. I make an offer to my friend the government House leader. He can be rid of me very fast indeed.

Mr John R. Baird (Nepean): One-time-only offer.

Mr Conway: I want to be fair. He can be rid of me. I know what a pest I can be. I know how stubborn and cranky I can be, not part of my charming self, I have to admit confessionally. But I think on this point I stand with a goodly number of Ontarians. They would want their trustees in their places in this Legislature before we adjourn for months.

The Minister of Agriculture winces. Let me say, "Adjourn for months." Even if we follow the calendar, and we won't, we're going to be gone for the better part of 10 to 12 weeks as a full Legislature.

Mr Tom Froese (St Catharines-Brock): We may come back on Monday.

Mr Conway: The member for St Catharines-Brock says we may come back for Monday. It may very well be that we will.

I can remember a time when my Conservative and NDP friends ganged up in a very public-spirited way to keep us here — Bud Wildman, I think — right through the Christmas period, doing important public business. Since we're well and fully paid for our work, there are a lot of taxpayers who would say, "What would the possible complaint with that be?"

I say again, it is not my intention to delay. It is my intention to decide one important matter before we leave for the Christmas recess, and that is the matter that I addressed yesterday: that the Minister of Finance has, standing in his name, Bill 96, and it's properly put before us. It is the supply bill. It's the bill that represents the approval for all of the public spending of taxpayers' money that this Legislature must approve to give those expenditures the validity they must have. Oh, yes, committees can decide and ministers can decide, but under our system of government, it is Parliament that in the end must vote the money, and we have yet to do that. That's why my friend the Minister of Finance is here with his appropriation bill, Bill 96.

I could, I suppose, if I wanted to be very difficult, challenge my friend the sponsor of this bill through the entirety of the appropriations, and that would be transparently unreasonable for me or anyone else to do. I could, for example, inquire as to under which account his magical reopening of the Burk's Falls hospital was occasioned and approved and funded. I could, for example, look at these appropriations and ask myself, "Where did Ernie Eves get the \$500,000 of special funding to lessen the burden of property tax increases in that wonderful town of Parry Sound, which were occasioned by the application of certain downloading expenses?" I wouldn't want to do that, because that would be querulous of me.

I want to be very straightforward and very focused on my point tonight, as I was yesterday.

2210

Interjection.

Mr Conway: Yes, a very interesting intervention.

Hon Janet Ecker (Minister of Community and Social Services): That's the Canadian spelling.

Mr Conway: I'm sure it is.

The minister's motion is a motion to establish the intersessional schedule for the various committees of this Legislature upon the prorogation of this session at some point tonight or later in this season.

Interjection.

Mr Conway: I'm sorry, Noble, but yes, tonight or later in the season. I repeat, I understand the urge to get in the half-ton truck or get in the back seat of the ministerial

limo and speed into the Ontario night, whether down to Moose Creek or up to Parry Sound or into north Toronto. I understand entirely.

Hon Mrs Ecker: You mean, give up this place?

Mr Conway: My friend the Minister of Community and Social Services says, "You mean, give up this place?" I suppose if she finds this place too great a burden, she has the choice all of us have as we contemplate reoffering for the next general election, the writs for which are probably no more than four or five months away. I don't want to tell her how to run her life, but if the burdens of —

Mr John Gerretsen (Kingston and The Islands): You don't want to be here, Janet?

Hon Mrs Ecker: I don't want to leave.

Mr Conway: She says she doesn't want to leave. That may make the situation just a little bit easier.

I want to say again that we have a motion from the government House leader to establish the intersessional schedule for committees and to prorogue the session at some point tonight or later in the season. Contained in that minister's motion is the ruse by means of which the supply bill is to be sidetracked for some time. What's that? "We'll park this matter in the general government committee and we'll deal with it at some to-be-decided future date." I would say, speaking for myself, that is no way for any self-respecting Legislature to behave, particularly on a matter of such central importance as a supply bill.

I repeat: The debate on the supply bill is, from my point of view, over. We have now only to vote on the amendment which I will offer, and I would be quite prepared to withdraw my amendment and have the government House leader, or the Minister of Finance more properly, bring his amendment. But whomever it is, whether it's my amendment or the government amendment, I want this House to pronounce itself on whether it wants to reduce the total amount of supply, the total amount of approved expenditures, estimated in this bill to be \$52.386 billion, a reduction of whatever the amount is that has been allocated to pay the legal expenses of the member for Simcoe East in the private dispute that honourable member had with Ms Sandi Thompson.

I offer this amendment because of the reasons I advanced yesterday. In summary they are simply this: There is obviously a tripartisan disquiet about this arrangement. It has been my experience in the last number of days to encounter honourable members of all three political parties who are deeply disturbed that they, that we in the public's name, are going to vote an appropriation that contains within it the payment of approximately \$130,000 of the taxpayers' hard-earned money to settle a private dispute between one of our members and a private citizen about a private matter, where a distinguished legal counsel retained by the people's assembly tells us we have no interest, we have no responsibility, we have no liability and we have no right to be paying this. That's the Finkelstein opinion.

I myself have encountered other situations where government departments, legislative committees and legislatures have been given advice to the contrary and they

have made payments — full payments or partial payments — that have been controversial. But at least in those cases there was pretty clear evidence from lawyers that an obligation was clear and outstanding and had to be met by the public officials, or there was some overriding aspect of popular opinion or public judgment that would dictate and legitimize the expenditure of public money. But that's not the case here. We do not have that case here.

We have, as I have said, the Finkelstein opinion, put in writing and distributed to the members as of December 9 —

Mr Bert Johnson: For \$217,000.

Mr Conway: The member for Perth is like most of us; he's got an opinion. He's obviously interested in and somewhat agitated about this, and I understand that. That's why, again, I want this Legislature to pronounce itself on this matter, because the member for Perth is typical of most members with whom I have discussed this matter in the last week. I can't find very many people, very many members of the Legislature, who want to do this, who find themselves comfortable with the rationale advanced. Are we simply to say tonight or tomorrow or Monday: "We had no choice. It was somebody else's duty. The devil made me do it"?

I want to say I for one am not prepared to do that. I am not prepared, as one member, to simply walk away and say: "I had no choice. I had no option. I couldn't have done anything even if I wanted to." You see, that's where the Minister of Finance's bill comes in. As those of us who have been around a while know, it is normal to conclude these proceedings at Christmas with a supply bill. Almost every Christmas you can anticipate that before Santa Claus arrives, before the Lieutenant Governor arrives, if there is prorogation, there is a supply bill, because it is the end of our cycle. We will come back in March expecting a new budget with new estimates and the cycle of request and response in financial matters will begin again. So we have before us, I say to the Legislature and anyone watching this proceeding tonight, the matter that is central to voting the approval for the McLean-Thompson settlement, and it is contained, as I have indicated repeatedly, in Bill 96.

The government House leader has offered a motion that essentially would have us leave tonight or tomorrow or on Monday without supply having been passed. Since the Minister of Finance is here and he will be more briefed on these matters than I, it would be interesting to me to know what the legal requirement is with respect to supply for the remainder of this fiscal year.

There is, I understand, interim supply through to the end of March, 1999. I presume that technically speaking we would not necessarily need, then, to come back to vote this supply bill until the end of March, and we probably could wait even into the new fiscal year and let Her Majesty's local government operate with special warrants —

Mr Colle: On a credit card.

Mr Conway: — on a credit card.

Mr Colle: Put \$50 billion on Visa.

Mr Conway: As the member for Oakwood says, we could literally put this entire account of \$52.4 billion on Visa, and I don't think any of us wants to do that. I think we want to vote supply before we leave, and I think we should. We should, because we have said —

Hon Mr Eves: I can remember a year when we didn't even vote on a budget.

Mr Conway: Well, I can remember a year when we were not even allowed to present a budget, but I don't want to go there because I'm not here to provoke my friends in either the first party or the third party.

2220

I am here to try again to focus the attention of the people's representatives on a basic and fundamental question. We say, all of us, that we want to be responsible, we want to be held accountable. I think, in the public interest, we should be as good as our word. We should be. We should say, "Yes, I am prepared to vote supply and I'm prepared to vote yes or no to any properly put amendment around the supply bill."

You see, when you talk about these popular things like referenda or other mechanisms I could imagine, they're wonderful theories, delightful theories. All of us, I suspect, appreciate the theoretical appeal of something like a referendum, because at one level it lets us off the hook. It simply says, "On an important matter, I will submit the question to the general electorate" — the general electorate; I'd better be careful that I don't get into the trouble Ms Boyd corrected me for the other night — "and I am simply then here to do the bidding of my constituents."

But the people I represent imagine that we are constituted as a popular assembly to, in our own parliamentary way, take these questions on a daily basis, hear the evidence and cast a judgment. I say to my friends, including the government House leader, who is happily returned —

Mr David Christopherson (Hamilton Centre): I don't know about "happily."

Mr Conway: He's happily returned, from my point of view, but, as the Minister of Finance quietly observed, perhaps not in the friendliest of moods, and I can understand that.

We have a golden, a glorious opportunity to pronounce ourselves on whether or not we think this deal, apparently done on our behalf by a legislative committee just a few days ago, is a good deal. My friend from Carleton, the government House leader, will say, and I'm sure he will engage this debate, that it was the only deal possible. I don't agree with him on that, but I respect his right to say so.

Mr Christopherson: On a point of order, Speaker: Given the importance of the matter and the fact that it's the last evening that the House is sitting, I think the government should be called upon to make sure they have a quorum in this place.

The Acting Speaker: Clerk, could you check and see if there's a quorum, please.

Clerk at the Table (Mr Todd Decker): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The member for Renfrew North.

Mr Conway: I say to the House that we can cut to the quick, we can decide this matter. At some point I suppose I can, and probably will, ask for unanimous consent to make the job of the government House leader that much easier at the end of a long day, and that is to simply say, let us amend that motion that's currently before the House, the so-called intersessional motion, to exempt from it the supply matter, pull that forward — the Minister of Finance is here and I'm delighted that he is, accepting that he's a very busy man — and let Mr Eves bring forward the bill for disposition in the House tonight and we will pass the bill or deal with it in whatever way the House chooses to, and it can be all over.

Is it for a reasonable person to conclude that we don't want to face what we have done in-house for one of our own? That's the other aspect of this that's been touched on.

The currency of the political class has been going down throughout much of the democratic world because there is a sense in the broad public that we have one rule for ourselves and another rule for other people. The successful party in the last provincial election in Ontario very effectively tapped into that sentiment when the leader of the Conservative Party paraded a number of seats out before the legislative building and said, "You elect me and I'm going to get rid of a bunch of those people, that superfluous aspect to government, those excess politicians." Then he followed that up and said: "You know what? Those politicians have those gold-plated pension plans and I'm going to get rid of those too."

I have to say, because, if for no other reason, my friend from Kingston is here, I'm on very thin ice. I was the problem that the new government was trying to fix in that respect. I have to say to my friend the Minister of Finance, I was fixed. I was certainly fixed in a way that causes some real consternation for a number of my colleagues on both sides of the aisle.

Mr Bert Johnson: Why don't we take that out of the supply bill?

Mr Conway: My friend from Perth may have a motion. If he does, I am quite prepared to entertain it and debate it.

I simply make the point that the too many politicians act and the gold-plated pension act were two initiatives taken by this government that, to put a charitable face on it, were efforts by the new government to address that sense that I think many of us have, that the public is getting pretty ticked off at the double standard, that "Those politicians have working conditions and emoluments and perquisites that are not available to us as regular citizens and as taxpayers."

I say to my friends, if there is any regard for that instinct, and apparently there is and has been in the Conservative caucus — and that I understand and respect; I don't always agree with their version or take of it, but I

understand that. But if that is a fair assessment of the Conservative Party's response to that instinct in the public, how on earth does anyone, from Isabel Bassett to Frank Sheehan, imagine that at the local coffee shop or at the shoe store or at the dry cleaning establishment any of us is ever going to be able to explain to taxpayers how on earth they should have paid thousands, tens of thousands, hundreds of thousands of taxpayers' dollars to settle all aspects — and let me repeat that — all aspects of a matter that was a private matter between two individuals, one of whom happened to be the former Speaker of the Legislature, the now member for Simcoe East?

The Minister of Finance is a lawyer and I'm not, but I was thinking the other day, who has ever heard of anyone, most especially a government, paying all sides of a private litigation? There may be examples. I'm not a lawyer. I say to my friend from north Perth, Bert, have you ever heard of one of those?

2230

Interjection.

Mr Conway: I have to tell you, I have a lot of regard for my friend from north Perth, the Deputy Speaker, Mr Bert —

Mr Colle: On a point of order, Madam Speaker: Could we ask the Deputy Speaker to move up a little closer so we can engage in more direct —

The Acting Speaker: That's not a point of order, member for Oakwood. Take your seat.

Mr Conway: I raise the point simply to say that the taxpayers find themselves in this unbelievable situation of having paid all aspects of a private matter between two individuals where the committee's own lawyer, Mr Neil Finkelstein, said we had no interests, we had no liability, we had no responsibility and we had no obligation.

Again I say to my friend Ms Bassett, who is in the House tonight — I appreciate her attendance — can you imagine, on your travels through the Tim Hortons in your part of central Toronto —

Mr Colle: More like Starbucks.

Mr Conway: — or Starbucks — when somebody says: "Member for St Andrew-St Patrick, just explain this to me. We paid \$500,000 or \$600,000 of public money against good legal advice to settle a dispute between private parties around a private matter. Why should I do that?" I can't imagine what answer I would have. It is inconceivable to me — and I offer no comment about the substance of the allegations; I don't know. I have no evidence one way or the other to substantiate the claims or counterclaims of either of the parties to the so-called McLean-Thompson dispute. But given the substance of the dispute, given the allegations, it's not very clear to me, and it certainly wouldn't be to any of my constituents, what aspect of public responsibility would have been involved in that.

It's a different thing entirely if Ms Bassett in her responsibility as a minister of the crown is legally attacked by some individual who doesn't like something she's done as a minister. She has every right then, as a public representative, to draw on the resources of the crown to

defend herself, because clearly that would be in response to her duties as a member of the cabinet.

We have not really ever debated the question here — and we're going to have to debate this sometime and make some decisions — around what, if anything, we intend to do for members who are attacked legally for the discharge of their public responsibilities. In fact, I heard I think from my friend from Oakwood that members of the Toronto city council are indemnified against those kinds of legal attacks in matters where they have been acting as a public official.

Mr Gerretsen: We had the same thing in Kingston.

Mr Conway: The member from Kingston, the former mayor of the city of Kingston, says they were similarly indemnified at the municipal level in that eastern Ontario community. I'm told by my friends the member for Oakwood and the member from Kingston that in fact that is a fairly typical legal protection offered by the community for those individuals who represent the broad community on council. I think that is a policy that this Legislature may very well want to adopt. But that is not what we have in this case. What we have in this case is a situation where, as I have said over and over again, a private matter involving two individuals has now caused the public to pay out almost \$600,000.

I think maybe it is time for me to read the letter that Mr Neil Finkelstein, of the law firm Davies, Ward and Beck, sent to Mr Speaker Stockwell dated December 9, 1998, in which letter Mr Neil Finkelstein, a distinguished member of the Ontario bar, sets out in writing the arguments that he, as legal counsel to that committee, the Board of Internal Economy, advanced to those people at that committee, who had to make the decision as to what they were going to do, if anything, about the public payment of any part or all of the bills, legal and otherwise, arising out of the McLean-Thompson matter. Let me read the letter, this letter, again, from Neil Finkelstein, of the law firm Davies, Ward and Beck, dated December 9, 1998, to Mr Speaker Stockwell.

"Dear Mr Speaker:

"You have asked that we set out in writing the basis of our recommendation against the settlement for the litigation which was moved with respect to the above-noted matter at the meetings of the Board of Internal Economy on December 2, 1998, and December 3, 1998. That proposed settlement provided that the Office of the Assembly" — that is, the public purse, the Ontario taxpayer — "would make an aggregate payment to Ms Thompson in the amount of \$250,000 (which was understood to be comprised of damages of \$100,000 and legal expenses of \$150,000) and that the Office of the Assembly" — that is, the Ontario taxpayer — "would pay Mr McLean's legal expenses in an amount not to exceed \$130,000."

To digress for a moment, we now know that part of Mr McLean's legal expenses were approximately \$9,000 worth of private investigator fees that a lawyer for Mr McLean had incurred in his defence.

"The reasons for our recommendation not to settle the litigation on the above terms are generally set out below," says Mr Finkelstein.

"(1) Ms Thompson's claims as against the Office of the Assembly for damages resulting from, among other matters, sexual harassment, wrongful dismissal and defamation, are not likely to succeed. It is unlikely," says Mr Finkelstein, "that Ms Thompson would succeed in any claim for damages against the Office of the Assembly, and in any event, any successful claim by Ms Thompson would be for nominal damages on the basis that her contract terminated upon the termination of Mr McLean's tenure as Speaker." Very clear.

"(2) Allan McLean's proposed claims against the Office of the Assembly for damages and indemnification are of little or no merit. In our view, if Allan McLean was found by a court to have harassed or otherwise caused harm to Ms Thompson, there is no basis upon which Mr McLean could successfully argue that the responsibility for his actions should properly be borne by the Office of the Assembly."

That is a critical point. There isn't a taxpayer around who wouldn't find that argument from this distinguished lawyer compelling. Let me read it again.

Mr Gerretsen: Steve knows. He's learned.

Mr Conway: I see the Minister of Finance's able chef du cabinet, Mr — well, I shouldn't pick on poor Steve. The hour is late. But let me read this again.

"(2) Allan McLean's proposed claims against the Office of the Assembly for damages and indemnification are of little or no merit." Why, says Mr Finkelstein? Because, "In our view" — that is, in the considered view of a very distinguished lawyer — "if Allan McLean was found by a court to have harassed or otherwise caused harm to Ms Thompson, there is no basis upon which Mr McLean could successfully argue that the responsibility for his actions should properly be borne by the Office of the Assembly. Further, Allan McLean's proposed claim for wrongful dismissal damages against the Office of the Assembly is without merit."

If you think about that for a minute, is the member for Simcoe East arguing that the Legislature that elected him Speaker had no right to unelect him as Speaker? I thought Louis XIV was dead. I don't think any of us have the kind of sanction that once elected we are permanently in place.

2240

Mr Mike Colle (Oakwood): On a point of order, Madam Chair: I think we are missing a quorum.

The Acting Speaker: Clerk, could you check for a quorum, please.

Clerk at the Table: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The member for Renfrew North.

Mr Conway: Going on with Mr Finkelstein's very powerful letter, in point number 3 —

Hon Mrs Ecker: You can't miss a —

Mr Conway: No, I don't miss — and I don't want you to miss a chance to vote. I don't much care how the Minister of Community and Social Services votes, but I want you here in your place, on behalf of the people of Durham West. Stand and tell us how you feel on this.

Hon Mrs Ecker: Merry Christmas, Sean.

Mr Conway: How can it be a merry Christmas for taxpayers who are being stiffed with this kind of bill on this kind of rationale? I want to be joyful too, but I've got some obligations. You, mother welfare, you of all people, who go from Attawapiskat to Cornwall and from Pickering to Pickle Lake beating your — I'd better be careful here — beating your record of welfare reform, and you wonder why somebody here might be questioning this? This is welfare on stilts, and it has your name on it, I say to Ms Ecker. She walks out the door and into the sunset.

The Acting Speaker: Member for Renfrew North, first of all, please remember to call people by their riding. Also, you can't comment on whether people are in or out of the House.

Mr Conway: I was provoked, Madam Chair, but you offer very good advice and I accept it.

Point number 3 of the Finkelstein letter of advice to us, our lawyer telling us what we should do about this matter:

"In the event that the Office of the Assembly was held responsible for any damages caused to Thompson, there is a strong likelihood that the Office of the Assembly would be awarded indemnification from Allan McLean. The damages caused to Ms Thompson would be based on Allan McLean's conduct and, therefore, if the office was found (because of legal principles) to be responsible to pay the damages, it would likely be able to recover from Allan McLean any amounts paid. This would be subject, of course, to Mr McLean's ability to pay."

Point number 4:

"Regardless of the outcome of the litigation, it would be unlikely that the Office of the Assembly would be found to be responsible to pay the legal costs of both Ms Thompson and Allan McLean. One or the other of them would be successful but, given the conflicting nature of the claims, not both."

Finally, point 5:

"It would be unusual for the Office of the Assembly to pay damages to Ms Thompson, the person allegedly harassed, and to also pay the legal expenses of the person who allegedly harassed her."

Friends, listen. It's almost ridiculous. Are we simply going to pass this and say, "We had no choice"?

What offends me is that bright people in the cabinet, the Minister of the Environment and the Minister of Transportation, walked in there 10 days ago and, having had this advice, said, "I don't accept it, I am not bound by it and I, Norm Sterling, Minister of the Environment," a 20-year veteran of the Conservative caucus, a well-known fiscal conservative, "and I, Tony Clement," bright, young Turk of the Preston Manning stripe — is there anyone who has ever preached more about fiscal discipline and accountability and the need for politicians to be far more careful in spending public money than Tony Clement?

It was the Minister of the Environment, Mr Sterling, and the Minister of Transportation, Mr Clement, who led the charge to ignore this advice from Mr Finkelstein and to stick the taxpayers, the taxpayers of Norfolk and Renfrew and Hastings and west Toronto, with a bill for nearly \$600,000. We're paying for everything. We're paying for the activities of the alleged victim of sexual harassment, we are paying the legal fees of the alleged harasser, we're paying damages. Talk about a lottery. How can any of us justify this? I can't, and I won't. I'm going to be truculent and I'm going to be contrary and I'm going to be cantankerous, and not just here.

There is an election coming. I often think that those of us involved in partisan politics sometimes get close to the water's edge in elections, and I suppose I've done my share. But I'm telling you that I expect, a few weeks and a few months from now, there is going to be an avalanche of television and print advertising and lots of radio advertising, nice, snappy jingles about big-ticket principles around accountability and discipline.

I'm going to be there, and not just in Renfrew. I'll make it my business to go into a number of constituencies and look for opportunities to say: "You know what, friends? There was a Legislature not too many weeks ago that had a chance to pass judgment on a \$600,000 appropriation of your money." I hate to say it, because it's a bit populist, to use a very neutral phrase, but the McLean-Thompson affair is not a very difficult business to explain to people. It's not going to be very hard to explain the contents of Neil Finkelstein's letter.

I say to my friends both in the chamber and underneath, from the department of finance, there are lots of cases where we've had advice that has been divided, conflicting, uneven, sometimes transparently contradictory. If you're a private member or a minister of the crown, you like that on occasion, because you can say, "Well, I didn't take the one view, I took the other view." But I tell you: We not only have the Finkelstein opinion. Ask anyone who has looked at this to come up with a contrary opinion, or ask any lawyer, "Can you imagine circumstances, in a matter where there is no obvious interest of yours at stake, where you would pay everything?" It's just beyond comprehension.

Again, that's the issue. Now the question is the bigger issue: Do we want to take any responsibility? That's why I'm offended by the government House leader's motion. It's the old bob and weave. Park it on the side, park it someplace in the dark and hopefully this will go away. And sometime in March, when nobody is much paying attention, we can bring this thing forward and get the pawprints of a majority of honourable members of this Legislature on this supply bill, including this reprehensible, obnoxious appropriation to settle the McLean-Thompson affair. Be damned you will get my pawprint on this in the affirmative. I want to get that vote and get that matter before me as fast as I can. I think it is a fair request.

2250

I cannot believe, notwithstanding the advance of Christmas, that the people I have talked to in the library, in the corridors, in the cafeteria — honourable members who just look with utter stupefaction. "How could they have done it?" they say, and we say, about our friends on the Board of Internal Economy, and I agree. But that was then, this is now. I submit a better question is: How can we do it? How can we leave here and not decide this matter?

The Minister of Finance is right to expect that this Legislature will give him supply. That's our duty, and I think it is the fair and reasonable thing that we ought to do before we adjourn or prorogue for Christmas. The cycle is coming to an end, and the end of that cycle, in our system, is voting on the appropriations or the spending or the supply bill.

We now have a matter to decide. I will not believe that members who have in some cases, to their credit, made their reservations known in the public domain — I heard the member for Lincoln not long ago, as I would fully expect of a former activist with the Taxpayers' Coalition, protest loudly about this appropriation of hundreds of thousands of taxpayers' money to settle a private matter between one of the honourable members of this Legislature and a private citizen who for a time worked in the Office of the Assembly. So we know, for the record, that at least one government member quite understandably and quite predictably and quite powerfully spoke out loudly against this measure. I know there are several others in the Legislature, and many of them in the government caucus.

It may very well be that when the question is put, as it should be put before we adjourn or prorogue, that the matter may carry. I simply want to refresh my colleagues that the amendment I propose to place to the supply bill says:

"The amounts payable under subsection (1) of Bill 96 shall not include any amount in respect of the legal fees of the member for Simcoe East."

Translated into layperson's language, that basically means that the \$52,386,596,000 worth of public money that we must vote to give effect to the approved estimates of all departments of the government of Ontario will be reduced by approximately \$120,000 to \$130,000, whatever the final cost of Mr McLean's legal bills are or were in this matter currently at issue, the so-called McLean-Thompson matter. That is the question. It's not a difficult question to understand, and it is certainly not a difficult question to decide.

As I said at the outset of my remarks —

Interjections.

Mr Conway: There seems to be a lot of distraction. I ask my friends not to be distracted from their duty in this very important matter. I ask all my friends not to be distracted at this late hour from this early and pressing necessity.

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): Don't be distracted.

Mr Conway: I say to the Minister of Agriculture and I say to the minister responsible for the treasury board and I say to the Minister of Municipal Affairs, let us do our duty, let us before the night ends agree to bring the supply bill forward and let either a minister of the crown move the amendment and let the House pass judgment or let Conway move the amendment. We can do that quicker than we gave second and third reading approval to the member for Dovercourt's bill on the Hummingbird Centre, and we can also in that connection give the Minister of Finance what he rightly should expect us to give him at this Christmas break: supply.

What conceivable reason would we have, I say to the member for St George-St David, for not doing that? What conceivable reason would we have, in the public interest, for not allowing this Parliament to vote supply and any amendments attached thereto? I can assure you —

Hon Al Leach (Minister of Municipal Affairs and Housing): Common sense.

Mr Conway: My friend the minister says, "Common sense." I say to my friends, if it is the position —

Hon Mr Leach: If you're trying to make a point —

Mr Conway: Yes, my point is I want a vote.

Hon Mr Leach: If you're trying to make your point in history, you have made your point.

Mr Conway: It has nothing to do with history. It has to do with a very present reality. What I want to say to my friends is, if it is the position of the Conservative Party that this settlement of \$600,000 of public money represents common sense, then Jonathan Swift will be rolling in his grave. This —

Mr Gerretsen: The minister knows all about public money. He's been living off the public purse for the last, how many years now?

The Acting Speaker: Member for Kingston and The Islands.

Mr Conway: I can't believe there is anyone in this chamber —

Interjection.

The Acting Speaker: Member for St George-St David, come to order.

Mr Conway: — who believes that this appropriation of these thousands of dollars of public monies to settle a private matter in which we have no interest, for which we have no responsibility, in which our lawyers said we have no liability, is common sense. Surely that is the last rationale for this. I want to say this as well —

Hon Mr Leach: Not even you can believe that.

Mr Conway: I do believe it. I believe it absolutely, and I believe it especially at a time —

Interjection.

The Acting Speaker: Member for St George-St David, come to order.

Mr Conway: — when we have been, the government particularly, so rigorous and so relentless and at times so ruthless about telling the broad public, "You have to do more with less."

My friend Bradley, the member for St Catharines, has made plain his anger at the way in which the Office of the

Assembly, with the Conservative majority at the board, dispensed with and terminated the employment contract of food workers, of gardeners and others in our employ. They got, as we say in the Ottawa Valley, the bum's rush and not so much as a thank you. What have we got here?

Interjections.

Mr Conway: Listen, the hour is late and the need urgent. We can make this easy, I repeat. We can simply put the question. I can't believe my friends from places like Victoria-Haliburton and Glengarry, where some of the doughiest and stoutest Conservatives extant in the land reside, would not want to pronounce themselves on this matter.

I have heard Chris Hodgson too often be too compelling about the need for prudence and probity with the public purse. And this? This is madness on stilts. This is a raid on the public treasury for no apparent reason, for no good cause. The smiling visage of the Minister of Transportation would suggest that it is of no apparent concern to him. I suppose, if ever there was a conflicted man in this, it is the Minister of Transportation because, I say again, the Minister of Transportation led the charge in the committee to ignore the legal advice, which said, "Don't pay, don't obligate yourself in a way that you have no cause to."

I conclude my remarks with this again: With all of the speeches about the importance of one standard for all, including the political class, with all of the speeches and all of the initiatives, legislative and otherwise, about doing more with less, expecting government to be more prudent, with all of that, how is it possible that we can stand here on the eve of Christmas and justify in any kind of interest this raid on the public purse? It is unconscionable. Let us put the question and let us decide the matter.

2300

Mr Bud Wildman (Algoma): We are debating here a motion to prorogue this Parliament, late in the evening as we come to the Christmas season. I must say that it's difficult for me to understand why a government that professes to be frugal and to want to protect the taxpayer, a government that talks more about taxpayers than it does about citizens, has not wanted to deal with what has become a cause célèbre because of the bungling and mismanagement of the members of the executive council, who are members of the Board of Internal Economy, who run this assembly.

The government has had a number of opportunities to deal with this matter and dispose of it. Initially, when this matter became a matter of public debate in this assembly, the members of the executive council, and the Premier particularly, tried to somehow distance themselves and say that this was nothing to do with the government, that it has absolutely nothing to do with government policy, government activity, government measures, nothing, that somehow the members of the executive council who are appointed by the Premier by order in council as members of the Board of Internal Economy, indeed representatives of the government on the Board of Internal Economy, had nothing to do with this matter.

It seems to me rather odd that a member of the executive council, whether that member be the government House leader and Minister of Environment, the minister responsible for Management Board or the Minister of Transportation, could somehow be a member of the Board of Internal Economy and not at the same time a member of the executive council. It seems that once they go through the door, the entrance to the Office of the Speaker, for meetings of the Board of Internal Economy, somehow they shed their personae as members of cabinet, as if somehow they became new people, different people, and made decisions with regard to this matter on the Board of Internal Economy with no reference at all to their role as members of the executive council.

What a silly argument. It was patently ridiculous, and the public understood that. The public knew that if a member of the Board of Internal Economy was also a member of cabinet nobody could logically argue that the government had nothing to do with this. Subsequently, the members of the executive council and the Premier said, "No, there were certainly members of the Conservative Party, members of the cabinet, on" —

Interjections.

The Acting Speaker: Member for Algoma, take your seat just for a moment. I'm starting to have a little trouble hearing. Could I ask for the meetings to take place outside of the chamber, or if everybody could pipe down a little bit it would be helpful. Member for Algoma, go ahead.

Mr Wildman: I hope the number of conversations going on, Speaker, is not somehow a comment on the quality of my presentation.

As I was saying, subsequently members of the cabinet and the Premier said, "No, no, that's true, there are members of the cabinet on the Board of Internal Economy," but they somehow tried to ignore the fact that the board had a majority from the Conservative Party and that certainly, yes, there were Conservatives who participated in the deliberations of the Board of Internal Economy, but the decisions of the board didn't have anything to do with the Conservative Party.

In other words, there must have been somebody else who held the majority, that somehow this board had input from the Conservatives but the Conservatives did not decide what happened, they didn't control what happened. Again, this was patently ridiculous. Nobody believed that somehow the members of the Board of Internal Economy made decisions without reference to their other roles in life, even the member for Nepean, who happens to be the parliamentary assistant to the Minister of Finance, which is particularly apropos since what we're concerned with here is supply; that the member for Nepean, who is the parliamentary assistant to the Minister of Finance, somehow would make decisions on the Board of Internal Economy with regard to an enormous expenditure without any reference to his role in the Ministry of Finance. It's very strange, and of course nobody believed it.

The government has had a very bad couple of weeks, not because of anything particularly that we in the opposition did but because of its own stupidity, incompetence in

dealing with this matter. The uncomfortable bed that the members of the Conservative Party now find themselves in is of their own making.

It has become obvious that the members of the Conservative Party who held the majority on the Board of Internal Economy made decisions over the vociferous objections of the two members of the opposition who are members of that board, and frankly, it seems, over the opposition of the chair of the Board of Internal Economy, who happens to be the Speaker of this assembly.

Hon Mr Villeneuve: What's his name?

Mr Wildman: I know you're having a hard time staying awake, but most of us know what the name of the Speaker is.

The fact is that the members of the Conservative Party decided they wanted to end this affair quickly, after it had been dragging on for some time, so they decided they would make an offer. This is where it gets really ridiculous and where it indicates incompetence on the part of the government. An offer was made to settle, to cover the legal expenses of both parties and to pay compensation, or damages I guess, to the complainant. But at no time, apparently, did any members of the Conservative Party who were determined to make this offer and make these payments question the size of these legal fees.

There was no attempt to have an itemization of the legal fees, which frankly, considering the type of affair, the type of concern and the amount of work, seemed to me extremely high. There was no attempt to say: "OK, what exactly did these lawyers do? Are these fees reasonable?" Even if you're not going to deal with the issue of whether or not these fees should be covered by the taxpayers, surely it makes sense to determine whether the fees are reasonable, but no, there was no attempt to do that. As a matter of fact, when the suggestion was made by members of the opposition on the Board of Internal Economy that the fees be taxed, that proposal was rejected by the majority on the Board of Internal Economy.

2310

The member for Nepean in the debate recently said: "No, no, that's not true. There's nothing in the minutes of the Board of Internal Economy that says there was a request that the fees be taxed." Well, members of the assembly, anyone who ever been a member of the Board of Internal Economy knows how the minutes are constructed. The minutes are simply the minutes of the decisions of the Board of Internal Economy, not the discussion, not the issues that are raised. They are only minutes that note what the decisions were. If there was a request that the matter be taxed and that was rejected through the discussion and the debate on the board, of course it wouldn't be in the minutes. Only the motion to cover the expenses of the legal fees and the compensation to Ms Thompson would be noted in the minutes of the board. That is the way the minutes are constructed, so the member for Nepean was raising a blue herring in this matter.

It became obvious, too, to everyone concerned and to the public that this was not thought out well by the

members of the government who were members of the Board of Internal Economy. They thought somehow they could just get this out of the way and it might be an issue for a cause célèbre for a short period of time and then it would go away, but then we discovered a couple of things. First we discovered that not only had the fees not been taxed, but the fees included the fees for a gumshoe who had apparently been going around spying on Ms Thompson to try and find out some things about her that would help to undermine her credibility for the accused, the member for Simcoe East.

The government said, "OK, we'd better do something about this," so I guess they persuaded the member for Simcoe East to say, "No, I'll cover the cost of that," apparently \$8,000 or \$9,000 out of a total of \$131,000 in legal fees, as if that was going to really resolve anything, as if that was really going to save the taxpayers any money in this affair.

This whole strategy ran into problems, though, in questioning in the Legislature, because my leader and the member for London Centre also directed some questions to the Attorney General, pointing out that the Attorney General, as the chief law officer of the crown, the top lawyer for the government of Ontario, for the people of Ontario, was a co-defendant in this suit and therefore would have to have expressed a legal opinion about the liability involved and given advice to the government. In directing those questions to the Attorney General, we found out that the Attorney General at least, as a member of the executive council, was prepared to admit that he did know something, and not just something but knew a great deal about the details of the discussions and the negotiations and the decisions that led to the passage of the motion of the Board of Internal Economy to make this offer.

I think with some consternation other members of the cabinet listened to the Attorney General start to answer questions, indicating clearly that he had a great deal of knowledge about this matter, despite the fact that the Premier, the Deputy Premier and other members of the cabinet had said: "No, no, members of the executive council didn't have anything to do with this. We didn't know anything about it." The Attorney General is not a member of the Board of Internal Economy, yet he was able to answer questions about this matter with the full knowledge of a person who had been involved in the discussions and the decisions around whether to make this offer to cover the costs for the settlement for Ms Thompson, the legal fees for her and the legal fees for the member for Simcoe East.

As members of the opposition, despite the ridiculous approach the cabinet was taking and despite the fact that the public made it clear that they knew the argument was ridiculous — the argument that the members of the cabinet had nothing to do with this, that the four members of the Conservative Party on the Board of Internal Economy somehow were no longer Conservatives, were no longer members of the government, were no longer members of the cabinet when they sat on the Board of Internal

Economy — despite that, we had a difficult time finding a vehicle for dealing with this matter and for holding those members of the government accountable for the decision to make this money payment for Mr McLean, until we realized, obviously, that the \$600,000, approximately, of taxpayers' money that was being paid for this matter indeed was part of an appropriation for the operation of the Legislative Assembly. That appropriation had yet to be passed, and must be passed as the vote for supply, as part of the supply bill.

We made it very clear that we didn't believe this \$600,000 should be paid by the taxpayers. We made it very clear that at least the legal fees of Mr McLean should be covered by someone other than the taxpayers. In our view, frankly, Mr McLean should have covered them himself. Frankly, I think Mr McLean should have covered the whole \$600,00 himself.

Mr Steve Gilchrist (Scarborough East): Bud Wildman: judge, jury and executioner.

The Speaker (Hon Chris Stockwell): Order.

Mr Wildman: The members across the way say, "Hang him." I fully recognize that this matter has —

Interjections.

The Speaker: Order. I know it's late and I know tempers are short, but it would be very preferable for the members to just allow the member for Algoma to finish his speech.

Mr Wildman: I understand the members across the way are making the point that the accused has not been found guilty. That is quite correct. There is no question about that. But the reason this matter has not been adjudicated is because the government doesn't want it to be adjudicated. The Board of Internal Economy determined that it wanted this matter resolved by payment before it went to discovery. Why? They didn't want it to go to discovery.

Interjection.

Mr Wildman: The member for Perth says he doesn't know. I don't know either. I don't know why the government didn't want it to go to discovery. I don't know why the government did not want this to go to court. Frankly, I'll tell you quite bluntly right here and now that if Mr McLean had gone through the process and been exonerated, I would not be at all opposed to some assistance for him in paying his legal fees. But he hasn't gone through the process and he has not been exonerated. It has been the decision of the members of the government, and I guess Mr McLean, that they do not want him to go through that process. A man has been accused. That matter has not been adjudicated. We do not know the facts of the situation, and the government does not want us to. If the Human Rights Commission adjudicates it and Mr McLean is exonerated, fine. Frankly, I would be very happy about that.

It is not the members of the opposition, certainly not the members of the opposition who are on the Board of Internal Economy, who suggested that this thing should somehow be paid off before it was adjudicated, either by the Human Rights Commission or in court. It was the

government that decided that, or I suppose it was the Conservative Party that decided that. But it certainly was not the members of the opposition on the Board of Internal Economy.

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This matter is quite clear. The public is quite clear. The public does not want to have the taxpayers paying this amount. Most taxpayers are not in favour of paying the \$600,000. The Premier, in response to that, said, "Then you mean you don't want Ms Thompson's expenses covered and you don't want her concerns to be dealt with." Again, I think her expenses should have been taxed. I don't think these fees are reasonable. I don't know why the Board of Internal Economy wouldn't have gone that route if they were going to pay them. Having said that, at the very least the people of Ontario generally do not want to have the specific legal fees and costs of Mr McLean covered by the taxpayers. Again, he has not been found guilty, but neither has he been exonerated.

The only vehicle we in the opposition have to hold the government accountable is on supply. It is a basic issue of responsible government, parliamentary democracy. The government must bring expenditures to the Legislative Assembly to be debated, discussed and passed, either as presented by the government, or reduced or reallocated as per decisions of the Legislative Assembly. We hold the government accountable. It goes back as far as the Magna Carta and King John. We hold the government accountable on the basis of being able to vote expenditures. We do that through the supply motion.

We had a vote today on second reading of the supply motion. According to the rules, if, after second reading, 12 members stand in their place, they can move a bill out to committee for further discussion and debate and review. Twelve members of our caucus stood in their place to move that supply motion out to committee, because we wanted to have the opportunity of a committee review of these expenditures, the specific expenditure of \$600,000 and, within that, the \$130,000 in fees for Mr McLean. That matter is still before us, yet the government has a prorogation motion before the House which does not make provision for this matter to be dealt with in committee. For that reason, we are very concerned that the government is attempting to avoid public review of this matter. For that reason, I'm very concerned that we would prorogue this place without dealing properly with our responsibility to hold the government accountable for expenditures that have been authorized by the Board of Internal Economy.

The argument that the Board of Internal Economy's expenditures for the Legislative Assembly have nothing to do with the government is ridiculous. They come from the same revenues that are raised in taxes from the public by the government and they are voted by the assembly. They are part of the supply motion.

Today in the media I heard the Speaker quoted. I think he was quoted as saying that the cheque is already in the mail, that the cheques to cover this matter have already been signed and sent out. So the expenditure of \$600,000, approximately, has already been done.

This does present us with a problem, I think. It seems to me that this \$600,000 has never been allocated and voted as part of the budget of the Legislative Assembly, which is approximately \$1.3 million. If the government members on the Board of Internal Economy have basically authorized the Speaker to send out cheques for \$600,000 that are not included in the Legislative Assembly budget, then the Legislative Assembly has spent money that it does not have. Unless we increase the allocation to the Legislative Assembly, this place cannot operate, because about half of the total budget has been expended over and above the allocation for the Legislative Assembly. This is a problem.

The way to resolve this problem is for the government to agree to have a committee — the government said the standing committee on general government. We would think it would be more likely the standing committee on finance, but I suppose it could be another committee; it could be the standing committee on the Legislative Assembly, one of those committees to consider the estimates, to consider the supply bill and to deal with the supply bill, to review the supply bill and to move to reduce the estimates by at least \$130,000, the amount of the legal fees that have already been sent to cover Mr McLean's legal fee.

We shouldn't be proroguing without a motion passed in this assembly which would allow the committee to consider the supply bill, and for that reason I am most concerned that we apparently are not going to have any committee. We're not going to have a motion passed so we're not going to have a committee deal with the supply bill, despite the fact that, according to the rules, 12 members of the assembly stood and moved the bill after second reading out to committee.

Hon Mr Villeneuve: What 12 members?

Mr Wildman: That was done this afternoon. I know the Minister of Agriculture, Food and Rural Affairs may not have seen it, but it happened this afternoon. It has already been done.

The members of the assembly exercised their rights and expressed their wishes that it should be moved out to committee for debate and passage. The government should be moving a motion now to ensure that a committee will in fact carry out the wishes of those members of the assembly. Then the supply bill could be passed, this matter could be dealt with, the expenditure could be reduced so that the assembly could be reimbursed by whoever, whether it be the member for Simcoe East or, I don't know, some other group that may want to help him, and the taxpayers will not be covering the expenses that everyone in this province understands they should not be covering. This is a private matter between the member for Simcoe East and the complainant. There is no reason on earth for the taxpayers to be covering that amount.

It's a late hour. We're headed into prorogation. I call on the minister responsible for the House, the government House leader, to introduce a motion that would allow the committee to sit after prorogation to deal with the matter of the supply bill that has been referred out by 12

members of this House. We can have a full public airing. We can find out who made what decisions and why they were made. We can move to reduce the expenditures so that the public, the taxpayers, are not having to cover the cost of Mr McLean's legal fees. This matter then could be resolved and we can get on with the other business of this place when we return in the spring.

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The Deputy Speaker (Mr Bert Johnson): Further debate?

Mr Christopherson: Right here, Speaker.

Hon Mr Villeneuve: You are not in your place.

The Deputy Speaker: I'm going in rotation.

Further debate? The Chair recognizes the member for Hamilton Centre.

Mr Christopherson: I want to reiterate a point that my House leader has made. The government has played this game where they've tried to have cabinet ministers, who are cabinet ministers 24 hours a day, suddenly morphed into this other kind of creature when they walk through the door of the Speaker's office to attend the Board of Internal Economy meetings. I believe it's on record that the Integrity Commissioner has said that a minister wears the cloak of ministerial responsibility at all times.

Quite frankly, it's one of the burdens of being a minister, but you cannot at any point take off that cloak of ministerial responsibility and say: "I'm just the public now or I'm just a backbencher. The things that applied to me when I was a minister no longer apply." It doesn't work that way, and that's been ruled on. When you are a minister of the crown, the privileges, of course, but also the responsibilities that you carry are with you 24 hours a day. To suggest that ministers are acting in their private members' capacity at a Board of Internal Economy meeting is just not accurate. I've been a member of the Board of Internal Economy and sat on there for a little bit better than a year. I've been there. I also understand what happens at that table from the inside.

It's been very upsetting, given the importance of this matter in terms of the principles involved — the dollars also, but the principles too — it has been very frustrating for us to hear the government members, those few who are willing to answer questions about this, say: "It's arm's length. It's not really anything to do with our PC caucus or with the Mike Harris government. There are four individuals from the Tory caucus there." That's not the reality.

You have a majority. All of these approvals that have caused this scandal were by Tory majority vote, by ministers who are ministers 24 hours a day. Just from a practical, dare I say it, common sense point of view, who would really believe that three senior cabinet ministers would walk into a meeting where decisions are made regarding how this place operates and regarding matters of the magnitude of what we have before us with the Al McLean affair, who believes for a minute in the public domain that those individuals, those cabinet ministers, aren't acting on the best basis for their caucus? Of course

they are. Would one really expect them to do differently? Would you really? Is it practical to expect that they would do something other than that? Of course not.

Why do you think all caucuses at least get a voice? Because people go in there with vested interests. I grant you, there are some matters that are not so huge that the cabinet may talk about it or that it would come up at a PC or a Liberal or an NDP caucus meeting. Some of them are just very straightforward matters that really don't have any partisanship to them, particularly if it's not an expenditure amount but deals with the details of how to operate this place or members' budgets or something sort of once removed from the political process. But on every other matter it really borders on being insulting to think that members, particularly ministers, would walk into a meeting without having some sense — if not marching orders, at least some sense — of how their caucus feels or, in a matter that's generating as many headlines as the Al McLean affair has, what the cabinet thinks.

Does anybody think that this hasn't been discussed at a cabinet meeting? I noticed that the ministers were very careful never to say in an absolute, definitive term that this wasn't discussed at a cabinet meeting. I find it really hard to believe that it wouldn't be discussed. That, by the way, is not inappropriate. There's nothing wrong with that. It would make common sense that you would.

Here you've got a matter involving one of your own backbenchers, who was the previous Speaker, embroiled in a sexual scandal that's generating headlines and bogging down the Premier, the Deputy Premier and the Acting Premier of the day in question period day after day after day. Who honestly believes that's not a matter that the cabinet would put on their agenda and talk about? Come on. Of course it was. I would expect that.

Again, I want to make the point, I'm not saying there's anything wrong with that. There's nothing out of line or inappropriate. It's one of the things that cabinets deal with. Cabinets deal with all kinds of issues. There's nothing wrong with that.

What's wrong and what's frustrating and what's borderline insulting is for members of the government caucus, in particular cabinet ministers, to suggest that such discussions did not take place or leave the impression they didn't take place or to go on about the fact that they're only senior ministers when they're outside the meeting room of the Board of Internal Economy, not really inside. That, to me, is when we cross the line.

The government knows that the two opposition members — I believe for the official opposition it's the member for Kingston and The Islands and for us it's the member for London Centre — have consistently voted against this matter. What we've asked for, and I think it's appropriate — we've been very co-operative this evening, we really have, as we should have been. The matters warranted it. We've been very co-operative this evening in ensuring that there was quick passage to bills that are in the public good. I believe we did at least three. I stand to be corrected; there may be more. There were at least three this evening that we allowed to proceed to third reading —

one to second reading, to get it out to committee, which is what everyone wanted; two others to third reading. We've been very co-operative.

In fairness, in balancing out the political agendas that are in this place versus the public good, the public good took the priority; we went with that. We're not asking for any medals but we are pointing it out, since, once we walk out of here tonight, we get zero credit for that and you get all the credit for the bill. But that is indeed what we've done this evening.

What we've been talking about now for the last hour and a half is that this matter of \$600,000 — I don't see any of the government members sending out press releases or holding news conferences or making members' statements about how proudly they stand behind the decision of their members on the Board of Internal Economy. Who's surprised? This issue has legs. This is an issue the public cares about, it's an issue they're going to ask you about over the holidays in the next few weeks.

Obviously what the government backbenchers would like, in fact all of government, is that they can quietly get this thing out of the way and never have to say anything publicly about whether or not they support the decision, because they don't want to appear disloyal. Backbenchers don't go out of their way to be disloyal. It sometimes is such that those things happen on various issues, but I don't believe that members go out of their way, saying, "Today I'm going to drive a knife into the back of my Premier or my cabinet or my caucus." Nobody deliberately does that.

You don't want to be put on the spot where you would not show the kind of support that's expected from a backbencher towards their government, but by the same token, if you can get away without going on the official record to say, "Yes, I support that decision," then you can quietly go back home: "I didn't really support it, you know. It was a pretty bad decision. They're independent members."

You can do all that kind of stuff back home and string it along and there's nothing on the record here at Queen's Park or in Hansard or that a reporter has got you on tape or written down that contradicts that. That way you can have it both ways. You can remain solid behind your cabinet and your government and you can get back home and slide on this issue and show that individually you don't think this is right.

I'm not saying anything to the government backbenchers that they haven't already thought of. That is part of the political process. I am not condemning you for that; I am merely pointing out what I believe to be the obvious thing going through each of your minds.

Therefore, what we would like, obviously, is to get it on the record. We do want to force you. For those who might say, "You just want to force us to vote," yes, you're right, we do. We want to force you to go on the record. You're the government. You get all the perks and privileges of being in government and you have to be held accountable for being in government.

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So what we've been seeking here on the opposition benches is some manner, whether it's committee, whether it's an individual vote on a separate bill, whether it's an amendment to the supply bill, some mechanism that will hold you all accountable for this issue, so that quite frankly you can't squirm out of it.

If you think it was the wrong thing to do, then stand up and say so. Have the courage of your convictions and be prepared to put it on the record, and vice versa. But the key thing for us is to get it on the record, because without that, then we continue to see this walking that fine line of being seen to be supportive and patriotic to the government and yet being able to go back home and slip and slide.

I have to ask, how many backbenchers in the government here are really going to go back to their ridings and with every constituent who phones about this issue or raises it over the holiday season, are they going to say: "No, wait a minute, I stand four-square behind the members of the Board of Internal Economy who said, 'Pay out that \$600,000.' I stand solidly behind them and I'll defend to the end of the evening anyone who wants to challenge whether this was the right thing to do."

It's not going to happen. It's not going to happen unless they're put on the record. If they stand here in their place, in the people's place, and they go on the record and say that, then yes, I would expect they'll do that. They wouldn't have any choice. But by the same token, I think there's an awful lot of members of the government backbenches who are very queasy about this, who don't want to vote on it because if push comes to shove they may not be able to support the government. That's what's got to be worrying the cabinet ministers and particularly worrying the Premier. This thing could quickly escalate into crisis proportions in terms of the last thing that Mike Harris needs heading into an election sometime likely in 1999.

With that, Speaker, I thank you for the opportunity to add my opinion.

Mr Colle: I rise here tonight basically to reinforce what my colleague from Renfrew North has been saying, that this is about accountability and responsibility. This is a government that's been telling the taxpayers of Ontario, that's been telling people across Ontario for the last three and a half years: "You have to be responsible for what you do. We're going to hold you responsible. We're going to hold you to account." The government has said this to teachers, it's said it to people on social assistance, it's said it to firefighters, it's said it to municipal officials.

Now we have a situation here where the member for Renfrew North is saying he wants to hold this government to account. He wants to hold this government responsible for something that it's done. I know the government has been saying basically it's not this government or this cabinet or this Premier that's made this decision to allocate a very controversial \$600,000 for a matter that certainly the public knows about. The government has said

that allocation happened somewhere in limbo, at the Board of Internal Economy.

The public probably doesn't know that this board works with a majority of Conservative members, government members — and not junior members. You've got three ministers and you've got a parliamentary assistant, who represent four government members, and there's a representative from the Liberal side and the NDP side.

When this matter of expending \$600,000 to settle this dispute came up at this board, the opposition members did not want to approve that. They said it was wrong. They asked for the board to basically listen to the advice of the lawyer who was retained by the board representing the Legislative Assembly, and that's representing the taxpayers of Ontario. In very explicit language by an eminent lawyer in this field of employment law, Neil Finkelstein, of the firm Davies, Ward and Beck — he was very, very clear in advising the Legislative Assembly, the members of the board, not to pay the money, not to settle. That was in the letter that legal counsel gave to the board.

The board said no to the legal advice. They basically said: "We know better. We're not going to listen to legal advice. We are going to decide to pay this money." And it wasn't all the members of the board. It was the three members present who represented the government who overruled the other members.

I'll read to you from the letter of December 9 from Mr Finkelstein to the Speaker of the Legislative Assembly. Again, he said very explicitly:

"You have asked that we set out in writing the basis of our recommendation against the settlement for the litigation which was moved with respect to the above-noted matter at the meetings...." Here are the reasons he said you should not go for the settlement, why he recommended against it:

"The reasons for our recommendation not to settle the litigation on the above terms are generally set out below:

"(1) Ms Thompson's claims as against the Office of the Assembly for damages resulting from, among other matters, sexual harassment, wrongful dismissal and defamation, are not likely to succeed....

"(2) Allan McLean's proposed claims against the...assembly for damages and indemnification are of little or no merit...." This is what the lawyer says.

"(3) In the...event that the Office of the Assembly was held responsible for any damages caused to Thompson, there is a strong likelihood that the Office of the Assembly would be awarded indemnification from Allan McLean....

"(4) Regardless of the outcome of the litigation, it would be unlikely that the Office of the Assembly would be found to be responsible....

"(5) It would be unusual for the Office of the Assembly to pay damages...."

In his concluding paragraph, Mr Finkelstein, the lawyer representing the public, the taxpayers of Ontario, says:

"We have been provided with a copy of a letter from Russell D. Laishley of Morris, Rose, Ledgett addressed to the Honourable Norman Sterling with respect to this matter. It should be noted that Mr Laishley's letter only

provides a general overview of the law of costs, without any detailed analysis with respect to the facts and merits of this case. Indeed, the letter must be read in the context of Mr Laishley's disclaimer in the last paragraph...wherein he states that he has not reviewed or assessed...." This also shows that other advice — hadn't even looked at the details.

The point is that Mr Conway, the member for Renfrew North, was saying he wants to be on the record so he has an opportunity to tell his residents, to tell the people of Ontario who are interested in this issue, that he doesn't want to be included with the three members of the Conservative government who pushed forth this settlement against the wishes of good legal advice. He has the right, as we all do, to be on record on where we stand on this allocation of \$600,000. That is accountability, that is responsibility, that is clear.

As you know, early today in the House there was a private member's bill introduced by the member for Kingston and The Islands whereby he attempted to get this on the record. Although the bill was given tacit approval on first reading, the government blocked attempts to go further, into second and third reading so there would be a final and very clear voting on his private member's bill, which basically said he didn't want to pay for the legal expenses of the member for Simcoe East. This was blocked by the government.

There was another block by the government today when there was an attempt by the third party to move the issue of supply — which is part of the whole reason of whether or not the McLean issue should be dealt with by the payment of \$600,000 — to the general government committee, where at least there would be an attempt to debate the issue. In essence, that has also been blocked by this government.

So there have been two attempts today to have on the public record the matter of accountability for this \$600,000 expenditure, and the government is refusing.

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We're here tonight again asking for a very simple thing from this government: that the members of the government allow for a vote on Mr Conway's amendment to Bill 96, the supply bill, which allocates money to the government for the next calendar year. He's saying he just wants a simple vote of "yes" or "no" from all members present on whether they agree with the expenditure of \$600,000.

Continually there is blockage of any attempt to express the opinion of members of this Legislature. I think the member for Renfrew North is very astute in saying that what really angers the people of Ontario is that overwhelmingly they disagree with the allocation and the payment of \$600,000. They say this is wrong, they say they don't want their tax dollars spent this way, and they are also saying they don't want their MPPs voting for this \$600,000. The public at large is saying that they want to know how their representatives stand on this issue of allocating \$600,000. Are you in favour of the \$600,000 or are you not? They would like to know how the ministers would vote? They would know how all the MPPs on both

sides of the House feel, how they stand on this allocation of \$600,000.

As you know, independent members on the government side have spoken publicly against it. The member for Lincoln has said it is wrong. I believe he is sincere when he says it is wrong. But what we would like is to ensure that the government members who are now saying, on one side, "We don't think it's a very good idea that this was done in this way, that some legislative committee did this in limbo, but we had no role in it" — the Premier says, "It was mishandled by someone else. It was an all-party committee." But the public now knows that it wasn't an all-party committee. It was an all-party committee overruled by a Conservative majority which said, despite very clear legal advice, "We don't care what our lawyers are saying; we are going to allocate that \$600,000."

I think all members of this House, on both sides, as the member for Renfrew North has been saying for the last couple of days, have accountability in our hands. We each have to be individually accountable for the expenditure of the \$600,000. You can't just go on talk shows and say it is wrong, and then come back to the Legislature and, when we say, "Can we please vote on this?" — the opposition has been asking over and over for a simple vote on this, to stand up and be counted on this thing, whether you believe it's right or wrong. We are blocked over and over again by this government.

If the government and the leaders of this government are saying in public, "We don't really think this was a good settlement; it wasn't done properly; it was mis-managed," I think it's a reflection on all of us. Because some of the public are saying, "All the members of the provincial Legislature voted for this settlement." That's what some people are saying. They're saying, "You all agreed with this," because the government spin doctors have been saying, "It's the whole Legislature."

We now have an opportunity to stand up and be counted. Don't block the vote. Allow the amendment of the member for Renfrew North, which basically allows you as a member of Parliament to vote "yes" or "no." Do you have the guts, Minister of Municipal Affairs, to vote on this? You don't. You will block it as you've blocked it all day. Do you as a member, representing your constituents, want to stand up and be counted? You refuse to stand up and be counted. What you do over and over again is not only refuse to be accountable; you also block our attempts to vote on this issue.

Not only is the government trying to say, "We are not going to be held accountable"; they're also trying to say that the opposition doesn't have that opportunity. All the opposition is doing is saying: "We want to make sure that you talk the talk and walk the walk." You told welfare recipients, teachers, firefighters, aldermen and mayors that they have to be careful with public money, they have to be accountable. Now the ball is in your court. Will you now give us an opportunity and will you now be accountable to taxpayers in Ontario?

The taxpayers across this province are very much against this expenditure of \$600,000. They're against it

because they say that they are not responsible for this controversy which occurred. They had no role in it, and they shouldn't be picking up the tab. So they're saying, "You, as our elected officials, should be on the voting record on how you stand on this allocation." That is the amendment to your supply bill, which is a very basic right of this Parliament: to hold all of us accountable by a recorded vote to see not only how you stand when you talk in public, but also how you stand on the record on the allocation of \$600,000.

That is what we've been trying to do for the last couple of days. Over and over again you blocked it; you made procedural moves to try to block it. We're saying the public has the right to see us vote on this issue. Give us the right to vote. Don't deny our right to vote on this expenditure, because we have been denied that. We have also been blocked in any attempt to even ask questions on it, because of the fact that this issue is now basically taken away from the Legislature.

The evidence is clear: The lawyers hired by the taxpayers said, "Don't pay the money." The Conservative cabinet ministers on the Board of Internal Economy said: "To heck with the lawyers, to heck with the taxpayers. We're writing the cheque for 600,000 bucks." That's why

the public in Ontario is so enraged. Despite the best legal advice, given by firms — Mr Finkelstein, who has great expertise in employment law, made a very specific recommendation. He said the Legislature, the assembly and basically the taxpayer were not liable in this matter. So the public is saying, "If the lawyers hired by the assembly said we weren't liable, why in God's earth was the cheque cut for \$600,000?" It's a very simple issue.

If you disagree with that — think there are a lot of legitimate disagreements. Maybe some people thought it was a good deal and that it was a good idea to cut the cheque. But a lot of people on both sides of this House think it was the wrong thing to do.

So they want to say: "You are my elected representative. I want to know how you voted on the \$600,000." That is the amendment to Bill 96, which the member for Renfrew North moved the other day. It's been blocked. It was a simple amendment that would have taken about a five-minute vote on whether they agreed with the \$600,000 allocation, yes or no. A simple five-minute vote, that's all —

The Speaker: It being 12 of the clock, this House stands adjourned until Monday at 1:30 of the clock.

The House adjourned at 2359.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Chris Stockwell

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Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Agostino, Dominic	Hamilton East / -Est	L	
Arnott, Ted	Wellington	PC	parliamentary assistant (Small Business) to the Minister of Economic Development, Trade and Tourism / adjoint parlementaire (secteur petites entreprises) du ministre du Développement économique, du Commerce et du Tourisme
Baird, John R.	Nepean	PC	parliamentary assistant to the Minister of Finance / adjoint parlementaire du ministre des Finances
Barrett, Toby	Norfolk	PC	
Bartolucci, Rick	Sudbury	L	
Bassett, Hon / L'hon Isabel	St Andrew-St Patrick	PC	Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs
Beaubien, Marcel	Lambton	PC	
Bisson, Gilles	Cochrane South / -Sud	ND	deputy New Democratic Party House leader / chef parlementaire adjoint du Nouveau Parti démocratique
Boushy, Dave	Sarnia	PC	
Boyd, Marion	London Centre / -Centre	ND	
Bradley, James J.	St Catharines	L	deputy opposition leader, opposition House leader / chef adjoint de l'opposition, chef parlementaire de l'opposition
Brown, Jim	Scarborough West / -Ouest	PC	parliamentary assistant to the Minister of Correctional Services / adjoint parlementaire du ministre des Services correctionnels
Brown, Michael A.	Algoma-Manitoulin	L	deputy opposition whip / whip adjoint de l'opposition
Caplan, David	Oriole	L	
Carr, Gary	Oakville South / -Sud	PC	
Carroll, Jack	Chatham-Kent	PC	parliamentary assistant to the Minister of Community and Social Services / adjoint parlementaire de la ministre des Services sociaux et communautaires
Castrilli, Annamarie	Downsview	L	
Christopherson, David	Hamilton Centre / -Centre	ND	
Chudleigh, Ted	Halton North / -Nord	PC	parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire du ministre des Richesses naturelles
Churley, Marilyn	Riverdale	ND	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Présidente du Comité plénier de l'Assemblée législative
Cleary, John C.	Cornwall	L	
Clement, Hon / L'hon Tony	Brampton South / -Sud	PC	Minister of Transportation / ministre des Transports
Coll, Mike	Oakwood	L	
Conway, Sean G.	Renfrew North / -Nord	L	
Cordiano, Joseph	Lawrence	L	
Crozier, Bruce	Essex South / -Sud	L	
Cullen, Alex	Ottawa West / -Ouest	ND	
Cunningham, Hon / L'hon Dianne	London North / -Nord	PC	Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Curling, Alvin	Scarborough North / -Nord	L	deputy opposition House leader / chef parlementaire adjoint de l'opposition
Danford, Harry	Hastings-Peterborough	PC	parliamentary assistant (Agriculture and Food) to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire (secteurs Agriculture et Alimentation) du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
DeFaria, Carl	Mississauga East / -Est	PC	

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Doyle, Ed	Wentworth East / -Est	PC	deputy government whip / whip adjoint du gouvernement
Duncan, Dwight	Windsor-Walkerville	L	
Ecker, Hon / L'hon Janet	Durham West / -Ouest	PC	Minister of Community and Social Services / ministre des Services sociaux et communautaires
Elliott, Brenda	Guelph	PC	
Eves, Hon / L'hon Ernie L.	Parry Sound	PC	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Fisher, Barbara	Bruce	PC	parliamentary assistant (Rural Affairs) to the Minister of Agriculture, Food and Rural Affairs / adjointe parlementaire (secteur Affaires rurales) du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Flaherty, Hon / L'hon Jim	Durham Centre / -Centre	PC	Minister of Labour / ministre du Travail
Ford, Douglas B.	Etobicoke-Humber	PC	assistant deputy government whip / whip adjoint suppléant du gouvernement
Fox, Gary	Prince Edward-Lennox-South Hastings / Prince Edward- Lennox-Hastings-Sud	PC	
Froese, Tom	St Catharines-Brock	PC	parliamentary assistant (Colleges and Universities) to the Minister of Education and Training / adjoint parlementaire (secteur collèges et universités) du ministre de l'Éducation et de la Formation
Galt, Doug	Northumberland	PC	parliamentary assistant to the Minister of the Environment / adjoint parlementaire du ministre de l'Environnement
Gerretsen, John	Kingston and The Islands / Kingston et Les Îles	L	chief opposition whip / whip en chef de l'opposition
Gilchrist, Steve	Scarborough East / -Est	PC	parliamentary assistant (Municipal affairs – urban) to the Minister of Municipal Affairs and Housing / adjoint parlementaire (Affaires municipales – secteur urbain) du ministre des Affaires municipales et du Logement
Grandmaître, Bernard	Ottawa East / -Est	L	
Gravelle, Michael	Port Arthur	L	
Grimmett, Bill	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	PC	parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire du président du Conseil de gestion
Guzzo, Garry J.	Ottawa-Rideau	PC	
Hampton, Howard	Rainy River	ND	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie	Oxford	PC	parliamentary assistant (Municipal affairs – rural) to the Minister of Municipal Affairs and Housing / adjoint parlementaire (Affaires municipales – secteur rural) du ministre des Affaires municipales et du Logement
Harnick, Hon / L'hon Charles	Willowdale	PC	Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Harris, Hon / L'hon Michael D.	Nipissing	PC	Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Hastings, John	Etobicoke-Rexdale	PC	parliamentary assistant to the Minister of Transportation / adjoint parlementaire du ministre des Transports
Hodgson, Hon / L'hon Chris	Victoria-Haliburton	PC	Chair of the Management Board of Cabinet, Minister of Northern Development and Mines, deputy government House leader / Président du Conseil de gestion, ministre du Développement du Nord et des Mines, vice- leader parlementaire du gouvernement
Hoy, Pat	Essex-Kent	L	
Hudak, Tim	Niagara South / -Sud	PC	parliamentary assistant to the Minister of Health / adjoint parlementaire de la ministre de la Santé
Jackson, Hon / L'hon Cameron	Burlington South / -Sud	PC	Minister of Long-Term Care, minister responsible for seniors / ministre des Soins de longue durée, ministre délégué aux affaires des personnes âgées
Johns, Helen	Huron	PC	parliamentary assistant to the Minister of Energy, Science and Technology / adjointe parlementaire du ministre de l'Énergie, des Sciences et de la Technologie
Johnson, Bert	Perth	PC	Deputy Speaker and Chair of the Committee of the Whole House / Vice- Président de la Chambre et Président du Comité plénier de l'Assemblée législative

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Johnson, Hon / L'hon David	Don Mills	PC	Minister of Education and Training / ministre de l'Éducation et de la Formation
Johnson, Ron	Brantford	PC	
Jordan, W. Leo	Lanark-Renfrew	PC	parliamentary assistant (Tourism) to the Minister of Economic Development, Trade and Tourism / adjoint parlementaire (secteur Tourisme) du ministre du Développement économique, du Commerce et du Tourisme
Kells, Morley	Etobicoke-Lakeshore	PC	
Kennedy, Gerard	York South / -Sud	L	
Klees, Frank	York-Mackenzie	PC	parliamentary assistant to the Minister of Community and Social Services / adjoint parlementaire de la ministre des Services sociaux et communautaires
Kormos, Peter	Welland-Thorold	ND	
Kwinter, Monte	Wilson Heights	L	
Lalonde, Jean-Marc	Prescott and Russell / Prescott et Russell	L	
Lankin, Frances	Beaches-Woodbine	ND	chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Leach, Hon / L'hon Al	St George-St David	PC	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Leadston, Gary L.	Kitchener-Wilmot	PC	assistant deputy government whip / whip adjoint suppléant du gouvernement
Lessard, Wayne	Windsor-Riverside	ND	
Marchese, Rosario	Fort York	ND	
Marland, Hon / L'hon Margaret	Mississauga South / -Sud	PC	Minister without Portfolio (Children's Issues) / ministre sans portefeuille (enfance)
Martel, Shelley	Sudbury East / -Est	ND	
Martin, Tony	Sault Ste Marie	ND	deputy New Democratic Party whip / whip adjoint du Nouveau Parti démocratique
Martiniuk, Gerry	Cambridge	PC	parliamentary assistant to the Attorney General / adjoint parlementaire du procureur général
Maves, Bart	Niagara Falls	PC	parliamentary assistant to the Minister of Labour / adjoint parlementaire du ministre du Travail
McGuinty, Dalton	Ottawa South / -Sud	L	Leader of the Opposition / chef de l'opposition
McLean, Allan K.	Simcoe East / -Est	PC	
McLeod, Lyn	Fort William	L	
Miclash, Frank	Kenora	L	deputy opposition whip / whip adjoint de l'opposition
Morin, Blain K.	Nickel Belt	ND	
Morin, Gilles E.	Carleton East / -Est	L	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Munro, Julia	Durham-York	PC	
Murdoch, Bill	Grey-Owen Sound	PC	
Mushinski, Marilyn	Scarborough-Ellesmere	PC	parliamentary assistant to the Premier / adjointe parlementaire du premier ministre
Newman, Dan	Scarborough Centre / -Centre	PC	parliamentary assistant to the Minister of Health / adjoint parlementaire de la ministre de la Santé
North, Peter	Elgin	Ind	
O'Toole, John R.	Durham East / -Est	PC	
Ouellette, Jerry J.	Oshawa	PC	
Palladini, Hon / L'hon Al	York Centre / -Centre	PC	Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme
Parker, John L.	York East / -Est	PC	parliamentary assistant to the minister responsible for native affairs / adjoint parlementaire du ministre délégué aux Affaires autochtones
Patten, Richard	Ottawa Centre / -Centre	L	
Petit, Trevor	Hamilton Mountain	PC	
Phillips, Gerry	Scarborough-Agincourt	L	
Pouliot, Gilles	Lake Nipigon / Lac-Nipigon	ND	
Preston, Peter L.	Brant-Haldimand	PC	
Pupatello, Sandra	Windsor-Sandwich	L	
Ramsay, David	Timiskaming	L	

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Rollins, E.J. Douglas	Quinte	PC	
Ross, Lillian	Hamilton West / -Ouest	PC	parliamentary assistant to the Minister of Consumer and Commercial Relations / adjointe parlementaire du ministre de la Consommation et du Commerce
Runciman, Hon / L'hon Robert W.	Leeds-Grenville	PC	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Ruprecht, Tony	Parkdale	L	
Sampson, Hon / L'hon Rob	Mississauga West / -Ouest	PC	Minister without Portfolio (Privatization) / ministre sans portefeuille (Privatisation)
Saunderson, William	Eglinton	PC	
Sergio, Mario	Yorkview	L	
Shea, Derwyn	High Park-Swansca	PC	parliamentary assistant to the Minister of Citizenship, Culture and Recreation / adjoint parlementaire de la ministre des Affaires civiques, de la Culture et des Loisirs
Sheehan, Frank	Lincoln	PC	
Silipo, Tony	Dovercourt	ND	deputy New Democratic Party leader / chef adjoint du Nouveau Parti démocratique
Skarica, Toni	Wentworth North / -Nord	PC	
Smith, Bruce	Middlesex	PC	parliamentary assistant to the Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Snobelen, Hon / L'hon John	Mississauga North / -Nord	PC	Minister of Natural Resources / ministre des Richesses naturelles
Spina, Joseph	Brampton North / -Nord	PC	parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire du ministre du Développement du Nord et des Mines
Sterling, Hon / L'hon Norman W.	Carleton	PC	Minister of the Environment, government House leader / ministre de l'Environnement, leader parlementaire du gouvernement
Stewart, R. Gary	Peterborough	PC	assistant deputy government whip / whip adjoint suppléant du gouvernement
Stockwell, Hon / L'hon Chris	Etobicoke West / -Ouest	PC	Speaker / Président
Tascona, Joseph N.	Simcoe Centre / -Centre	PC	
Tilson, David	Dufferin-Peel	PC	
Tsubouchi, Hon / L'hon David H.	Markham	PC	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Turnbull, Hon / L'hon David	York Mills	PC	Minister without Portfolio, chief government whip / ministre sans portefeuille, whip en chef du gouvernement
Vankoughnet, Bill	Frontenac-Addington	PC	
Villeneuve, Hon / L'hon Noble	S-D-G & East Grenville / S-D-G et Grenville-Est	PC	Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones
Wettlaufer, Wayne	Kitchener	PC	
Wildman, Bud	Algoma	ND	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Wilson, Hon / L'hon Jim	Simcoe West / -Ouest	PC	Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Witmer, Hon / L'hon Elizabeth	Waterloo North / -Nord	PC	Minister of Health / ministre de la Santé
Wood, Bob	London South / -Sud	PC	parliamentary assistant to the Solicitor General / adjoint parlementaire du solliciteur général
Wood, Len	Cochrane North / -Nord	ND	
Young, Terence H.	Halton Centre / -Centre	PC	parliamentary assistant to the Minister of Finance / adjoint parlementaire du ministre des Finances
Vacant	Nickel Belt		

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Vice-Chair / Vice-Président: Gary Fox
Alvin Curling, Carl DeFaria, Gary Fox, Ernie Hardeman,
Helen Johns, Allan K. McLean, Gilles E. Morin, Marilyn
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Ombudsman

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Peter L. Preston, Joseph N. Tascona, Terence H. Young
Clerk / Greffière: Donna Bryce

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Toby Barrett, Dave Boushy, David Caplan,
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Clerk / Greffière: Anne Stokes

Resources development / Développement des ressources

Chair / Présidente: Brenda Elliott
Vice-Chair / Vice-Président: Peter L. Preston
David Christopherson, Ted Chudleigh, Sean G. Conway,
Brenda Elliott, Doug Galt, John Hastings, Pat Hoy,
Bart Maves, Peter L. Preston
Clerk / Greffier: Viktor Kaczkowski

Social development / Affaires sociales

Chair / Présidente: Annamarie Castrilli
Vice-Chair / Vice-Président: Dwight Duncan
Marion Boyd, Jack Carroll, Annamarie Castrilli,
Dwight Duncan, Tim Hudak, Frank Klees,
Lyn McLeod, Lillian Ross, Bruce Smith
Clerk / Greffière: Donna Bryce

These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

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